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The Solicitors' Journal.

LONDON, JANUARY 11, 1873.

AT THE MEETING OF THE LEGAL EDUCATION ASSOCIATION, held yesterday evening in Lincoln's Inn Hall, the second annual report of the Executive Committee was presented for adoption. This report has already appeared in the daily papers; press of other matter has unfortunately prevented us from printing it in to-day's issue. It takes a very favourable view of the position and prospects of the association, and refers with satisfaction to the reception which Sir Roundell Palmer's motion met with last year in the House of Commons, and to the approval which has been accorded by public opinion to the purpose and proposals of the association. But the most important part of the report is that which deals with the new scheme for legal education put forth by the Inns of Court. It is very justly observed that no sufficient provision is made by that scheme for affording the instruction which it professes to recommend, and several objections of detail are also raised to the proposed regulations. The point, however, upon which that scheme is pronounced wholly insufficient is, that it makes no provision for the education of legal students other than students for the bar. The point was brought out very forcibly by those who spoke at the meeting yesterday; indeed it would be fair to say that this was generally stated to be the one cardinal point upon which the association was in direct issue, not perhaps with the Inns of Court, but with their representatives in the Council of Legal Education. In a contest between these two views it can scarcely be doubted which will be successful. The physicians and surgeons of the future do not find it essential to pursue their education at different hospitals; nor can any real reason be shown why lawyers should waste their power by dividing their resources.

The meeting was opened by Mr. Justice Quain; but the first resolution being carried, which named Mr. Amphlett, Q.C., as the President of the Association, in succession to Lord Selborne (who while resigning the presidency still remains a private member), the chair was then occupied by the new President. The meeting proceeded to resolve, secondly, that "This report be adopted, printed, and circulated;" and, thirdly, that "The scheme of the Inns of Court is wholly inadequate to supply an efficient school of law, and that under these circumstances, it is the duty of this association to persevere not less earnestly than hitherto in its endeavours to accomplish the objects for which it was formed." The whole interest of the meeting turned upon the discussion of these resolutions, in which (amongst others), Mr. Justice Quain, Mr. Baron Pollock, Mr. Lloyd, Q.C., Mr. Osborne Morgan, Q.C., Mr. Farrer, Mr. Clabon, and the Presidents of the Birmingham and Liverpool Law Associations took part. The resolutions were passed without any opposition either by word or vote; but the discussion was none the less in a high degree interesting and instructive, and was eminently practical and to the point. It is much to be hoped that in view of the decisive opinions of the meeting yesterday, in which not a single voice was raised in defence of the new scheme of the Council of Legal Education, that venerable body will not think themselves pledged to adhere to the futile proposals which they have lately put forth. They have, we understand, already made certain appointments under that scheme (the particulars of which it would, however, be premature to state), but it is to be feared that unless the new scheme is itself renovated, some more decisive change may be introduced from without, long before the three years term of office of the new professors has expired.

MR. LASCELLES, of Manchester, in a letter to the *Times* a few days ago, pointed out a practical difficulty which arises in the proof of contracts made by telegraph. A telegram, the original order for which was signed by the sender or his agent, as was the case under the old system, if it contain the terms of a contract is a sufficient memorandum to satisfy the Statute of Frauds (*Goodwin* v. *Francis*, 18 W. R. C. L. Dig. 89, L. R. 5 C. P. 295.) And it cannot admit of doubt that the name of the sender written at the top, as is done under the new system, is just as good a signature as it would be if written at the bottom. Plainly, a man who sends a telegram authorises its being dealt with in the ordinary course; and, therefore, makes the clerk at the station to which it is sent, his agent to write out all its terms. So that if the original order for the telegram contains all that the Statute of Frauds requires, the written message ultimately received is enough to satisfy the statute. The result is that the Statute of Frauds and the telegraphic system work harmoniously together, a result which could hardly have been anticipated.

But a real difficulty remains, arising from the ordinary laws of evidence. How are you to prove the sending of a telegram by the person from whom it purports to come? It is to this difficulty that Mr. Lascelles calls attention. It appears from his statement to be the practice of the Post Office authorities to preserve for six months the original orders for telegrams, and after that time to destroy them. During the six months the order for a telegram can be produced by the Post Office authorities, and the handwriting proved as in the case of a letter. But after the destruction of the order there certainly does seem, as Mr. Lascelles points out, no means of proving the sending of the telegram if it be denied. The remedy proposed by Mr. Lascelles is as follows:—

"It is no doubt necessary for the authorities at the Post Office to retain orders for telegrams for a limited period, to compare them with the messages actually received, and for other purposes. After the expiration of this period, however, there can be no reason why they should not be forwarded to the persons to whom they are addressed, if such persons require them for purposes of evidence. I suggest, therefore, that orders for telegrams shall be considered as letters or post-cards, the contents of which are to be forwarded at once by telegraph, and which are themselves to be forwarded to the persons to whom they are addressed, if such persons apply for them to the Postmaster-General between certain periods to be fixed by him. If six months from the date of transmission be fixed as the latest period at which such applications can be attended to, most of the orders will never be asked for at all, the contracts to which they relate having been completed, or having passed beyond question, before the expiration of the time during which the evidence of them could be obtained. Very little extra work will, therefore, be thrown upon the Post Office, and many difficulties will be overcome; for persons who contract by telegraph will be able to obtain and preserve their own evidence, and will be in the same position they would have been in if they had contracted by letter."

We have no doubt that the proposed change would be a beneficial one. But we doubt whether more advantages might not be secured by a somewhat different arrangement—namely, by providing that the recipient of any telegraphic message should within a certain time, and on payment of a proper fee, be entitled to receive from the Post Office authorities a press copy of

the original order. It would be easy to enact that such a copy should be admissible in evidence as an original; and it would show the handwriting as well as the original. The advantage of this would be that the press copy might be obtainable at once, whereas the original must, as Mr. Lascelles points out, be retained by the Post Office authorities for some time.

Mercantile men are not, however, so badly off as might appear. They can make themselves tolerably safe. Every prudent man ought invariably to adopt the course which is already, we believe, the general one. Whenever he sends a telegram he ought to repeat its terms in writing by the following post. Whenever he receives a telegram he ought to write a letter in answer, stating the terms of the telegram (besides telegraphing, if necessary), and to keep a copy of his letter; and he ought to abstain from doing business with those who refuse to observe this rule. To transact important business simply by telegraph, without the use of letters, is as foolish as to transact such business by word of mouth, without the use of written agreements, or written entries in books or memoranda of some kind. Difficulty of proof can only arise when the precautions we suggest are neglected.

THE DECISION of the Court of Common Pleas in *Russell* v. *Tithe Commissioners* (19 W. R. 1007. L. R. 6 C. P. 596), has led to results with regard to the mode of assessing land for tithe purposes which perhaps the Court did not at the time fully appreciate. According to the law as laid down in that case, any land situated in any parish, and newly brought into cultivation as a "market garden," is liable to an "extraordinary" rent charge. It had previously been supposed that such a charge could be imposed only in the comparatively few parishes where at the time of the passing of the Tithe Commutation Act, 1835 (6 & 7 Will. 4, c. 71), the Commissioners had assigned districts within which the tithe should be separately valued in respect of land in an exceptional state of cultivation (see *Walsh* v. *Trimmer*, 15 W. R. 1150, L. R. 2 H. L. Cas. 208). But the Court of Common Pleas decided in the case referred to that all newly cultivated market gardens, wherever situated, are liable to an increased tithe-rent charge, although no district may have been assigned to the parish within which they lie at the date of the original commutation. The result is, that as the amount of land brought under cultivation for garden produce increases largely every year—especially in parishes near populous towns—the tithe settlement of 1835 bids fair to become generally unsettled. The visits of the Tithe Commissioners to parishes containing new garden ground have already been frequent. For, naturally enough, the country clergy—upon the whole, by no means an overpaid class of men—are desirous of availing themselves as far as possible of this mode of adding to their income. It is equally natural for landowners to object to an additional burden; and their argument, which is based upon the inconvenience resulting from a revaluation of their land according to the mode in which it is cultivated, will probably prevail with the Legislature, who are to be invited next session to alter the law and stereotype the arrangements of 1835. At the same time it is probable that some terms may be imposed in favour of the tithe owners. "Under ordinary circumstances," says Willes, J., in *Russell* v. *The Tithe Commissioners*, "the commutation is to be final and conclusive: but as to newly cultivated market garden produce, there is no reason why the parson should not have the increased payment in respect of the land so cultivated. . . . It is in respect of these exceptionally lucrative modes of cultivation that special provisions have been made by the Legislature." Certainly it seems just, if tithe rent charge is to exist at all, that some increase in the amount payable should be made where the landowner's profits are extraordinarily large. At the same time the present system of revaluation needs modification. The tithe commissioner's sole duty, as things now stand, is to assign a "district," and fix the amount per acre to be paid on newly converted land. He leaves the question of what is a "market garden" open to be tried between the land and tithe owner in the action of replevin which is almost sure to follow a distress for the increased rent charge. The somewhat analogous question of what is conversion of land into "tillage" is at present *sub judice* in the House of Lords, and, unless Parliament interferes in the manner proposed, the definition of a "market garden" will certainly ere long tax the ingenuity of our judicial authorities.

THE CORRESPONDENCE in the daily papers as to the Treasury disallowances of costs of criminal prosecutions, has been continued through the week. The result has been to make it pretty clear that the view we expressed last week was well founded, and that the statement which Mr. Lingen was authorised to make on behalf of the Treasury by no means absolved the Treasury from all blame for what happened at Durham. It was denied that the Treasury had been in the habit of disallowing *such* expenses in *such* cases. It has, however, been shewn that they have disallowed *similar* expenses in cases where the local officials have thought them necessary. How, therefore, is it to be known at the time when the expenses are to be incurred, whether the case will ultimately be considered by the Treasury officials as *such* a one as they now, after Mr. Justice Denman's observations, consider the Durham case to have been. We strongly suspect that upon further inquiry it would be found that "*such cases*" meant capital cases, and that the Treasury really have been rather more liberal in their allowances in capital cases. If this were generally known it might get rid of some of the difficulty, but this would be by no means a satisfactory test. There is a large class of cases in which it is little more than an accident whether the prisoner is committed for trial on a charge of murder or of manslaughter. Some magistrates commit for manslaughter only, when they think there is no probability of a jury convicting for anything else. Others in such cases commit for murder, on the ground that the killing is *prima facie* murder, and that it is for the prisoner to satisfy the jury who try him, that there are circumstances reducing the crime to manslaughter.

THE PROCEEDINGS at Judges' Chambers in reference to the Barnstaple Municipal Election Petition have disclosed a somewhat curious difficulty in getting inspection of the rejected ballot papers. The Ballot Act, or rather the schedule to it, contains a provision for inspection of rejected ballot papers relating to a parliamentary election, under an order of any superior Court or of a judge of such Court at chambers. In the rules for municipal elections in the same schedule it is provided that "an order of the County Court having jurisdiction in the borough, or of any tribunal in which a municipal election shall be questioned, shall be substituted for an order of one of the Superior Courts." At the time this Act passed, the Act providing for the new tribunal for the trial of municipal petitions had not been passed, and this probably accounts for the somewhat vague expression used. On reference to the Corrupt Practices at Municipal Elections Act, it is impossible to avoid the conclusion arrived at by Mr, Justice Grove, that the Election Court and not the Court of Common Pleas is the tribunal meant. Possibly, if a particular municipal election were being questioned in the Common Pleas, by a special case having been directed by order of that Court under section 15, sub-section 6, and if it were necessary for the statement of the case that rejected ballot papers should be inspected, the Court of Common Pleas might make the order; but it does not seem that it can do so on the case of a petition being tried in the ordinary way. The result is, of course, most inconvenient, because the County Court having jurisdiction at Barnstaple only sits once a month, and the learned gentleman who happens to be judge of that Court is no doubt quite right in thinking that he cannot

make such an order out of court. The fault is that of the Legislature in introducing the foolish provision as to the County Court. The County Court having no sitting in chambers and no continuous sitting of any kind, is not a suitable tribunal for such a purpose, and no possible object would be gained by providing that the application should be made there, because a summons before a judge in chambers does not cost more than an application to the County Court. It was reasonable enough not to require a rule of a Superior Court, but nothing can be simpler and cheaper than a judge's order made at chambers. When we commented on the Ballot Act (16 S. J. 862) we pointed out that no provision was made for the inspection of tendered ballot papers. It seems that at Birmingham the presiding officers in some cases made the mistake of counting the tendered papers, and that this is one of the points raised by the petition relating to that borough. This particular mistake ought certainly not to have been made, but as we pointed out, the provisions of the Act as to what is to become of the tendered ballot papers are so vague that we do not wonder at some mistakes being made in reference to them.

Mr. Charles Edward Pollock, whose appointment to the judgeship in the Court of Exchequer vacated by the retirement of Mr. Baron Channell we announced last week, is the fourth son of the late Sir Frederick Pollock, for many years Chief Baron of the Court to which his son has just been appointed. Mr. Pollock was born in 1823 and was educated at St. Paul's School. He did not proceed to any university, but at an early age entered the chambers of his father then at the bar, to whom he acted as Secretary during his tenure of the office of Attorney-General. He was afterwards long a pupil in the chambers of the late Mr. Justice Willes. In 1847 he was called to the bar and joined the Home Circuit. Like not a few who have risen to the bench before him, Mr. Pollock's early progress was slow, and he had many years to wait before obtaining any substantial practice. But he gradually obtained and for many year enjoyed a very large practice as a junior. In 1866 he became a Queen's Counsel, and has since held an extensive practice both on circuit and in London. At a very early period of his career at the bar Mr. Pollock published his Practice of the County Courts, a book which has passed through many editions, and which is still of great practical utility. A later and more substantial contribution to legal literature is the Treatise on the Law of Merchant Shipping, written by Mr. Pollock in conjunction with the late Mr. Frederick Philip Maude, a work of high and well-deserved repute. Mr. Pollock's reputation as a sound and learned lawyer has always stood very high, and no man, perhaps, at the bar has enjoyed in a greater degree the confidence and esteem of his profession. His promotion to the bench has given universal satisfaction.

Yesterday afternoon a meeting was held in the Middle Temple Hall, under the presidency of the Attorney-General, to consider the expediency of instituting a Bar Benevolent Association. About two hundred barristers attended, and various opinions were expressed upon the project. The meeting was stated to be strictly private, and only members of the Bar were admitted. We believe, however, that we shall not be guilty of any breach of confidence in stating that resolutions were passed in favour of founding a Benevolent Association, and appointing a committee to prepare a scheme.

THE LAW'S DELAY.

II.

We pointed out in our article on this subject last week the distinction, too often overlooked, between those delays which are and those which are not remediable by legislation, and indicated generally the limits within which, as it appeared to us, our existing system could be usefully altered in this respect. We now propose to discuss the alterations which we think feasible somewhat more in detail, premising, however, that we are not about to suggest anything which has not been already put forward both in these columns and elsewhere. Indeed, we need hardly say that no reform can be regarded as practical which has not commended itself, and been recommended, in more than one quarter, during the lengthened discussions which have taken place on this subject.

It will greatly facilitate the consideration of the question, if we first point out the objections which seem to us to apply to some of the proposals which have been put forward with more or less authority. And first, we entirely disagree with the notion that it is desirable in the interests of justice, or even of economy, to extend the amount of jurisdiction intrusted to single judges. The idea is a taking one, no doubt, and it is very plausibly argued that if a Vice-Chancellor sitting alone is competent to decide on the most intricate questions of mixed law and fact, it is absurd to require a Court of three or four judges (not five or six, as suggested by Mr. Harcourt) to determine a question of admission or rejection of evidence, or of the manner in which a point of law ought to be presented to a jury. The fallacy of this is that it assumes that the exercise of this jurisdiction by the Equity judges is satisfactory, which is so far from being the case, that it is not too much to call it *the* defect of the constitution of the Court of Chancery. To this source may be traced not less than nine-tenths of the appeals, which are notoriously more numerous out of all proportion in Chancery than at Common Law; because the unsuccessful suitor will always be advised in any case where the amount at stake is considerable, to take his chance of a second opinion being in his favour, unless the case is so clear against him that it ought never to have been contested at all. In the great majority of such cases the decision of a Court of three judges would have been acquiesced in, at any rate when they were unanimous, just as now it is extremely rare that any one ventures to appeal to the House of Lords from an order of the Lords Justices dismissing an appeal to them. The practical effect, therefore, in all these cases, of the present system, is that two hearings are necessitated, and two sets of costs incurred, in order to get that opinion of three judges, or the majority of them, without which no suitor can be advised to acquiesce in any adverse decision, at any rate when the amount at stake is of sufficient importance to warrant the extra expenditure. We have often heard counsel of eminence advise on appeal, on the express ground—not that he thought the Court below clearly or probably wrong—but that the benefit of success, if obtained, would be nine or ten times the cost of appeal, "and it is certainly not ten to one that the Appeal Court will not differ from the decision."

Instead, therefore, of entrusting the Common Law judges with the power of sitting singly in contested cases on the ground that this power is at present exercised by the Vice-Chancellors, we should much prefer to see it laid down that no case involving any contest of law or fact shall be decided by less than three judges, if either party dissented therefrom. Where, as at Common Law, the tribunal for the decision of the law is different from that which determines the facts, this object is achieved either by a trial before a single judge, subject to a reference of any disputed point of law to the Court by motion or bill of exceptions, or by a trial at Bar; and one or other of these courses would still seem to be requisite in every case where the questions of fact are to be submitted to a jury, though we fully concur in the suggestion that such cases, instead of being, as now, the rule, ought in all civil causes to be made the exception. And this brings us to the consideration of what ought to be the constitution of the Court for determining all questions, whether of law or fact, which are not to be submitted to a jury. This should, we think, with the exceptions hereinafter mentioned, be composed of not less than three nor more than five judges, and we consider

three decidedly the best number for the purpose. So long as the present distinction between the constitution of the Courts of Law and Equity is maintained, this desideratum would be readily obtained at law by simply enacting that every cause when at issue should be set down in a general list "for hearing." One judge should then sit—by rotation—to hear the causes in this list, with power to decide every question of law or fact in every cause suffered to come before him, but it should be open to either party to apply in Chambers for an order to intercept this, either (1.) by transferring the causes to a special list for hearing before the Court in Banco, or (2.) by referring it to a jury. The former order ought, we think, to be obtainable as of course, on such terms as to costs, or payment into court of all or any part of the subject matter of litigation —where that is possible — as the master or judge at chambers should think just, to prevent this power from being used solely for purposes of delay; but the question of reference to a jury ought always to be at the discretion of the judge, who ought to refuse to send any cause for trial at Nisi Prius, unless he was satisfied that there was a substantial question of fact seriously in dispute.

The results of this arrangement would be, first, to enable all causes not involving any substantial question—all those of the class known as "virtually undefended"—to be disposed of expeditiously without the cumbrous (and in these cases useless) machinery of a trial at Nisi Prius, and at the same time to clear the list of "rotten causes," whose existence is so fruitful a source of expense and annoyance, by rendering it hopelessly uncertain to calculate beforehand at what time any particular case not at the head of the day's list may be expected to come on: secondly, to give an amount of relief to jurors more effectual than all the remedies for their acknowledged grievances which have been proposed, tried, or rejected; because not only would there be comparatively few cases in which they would be required at all, but the nature of those cases would be so far known to the Court beforehand as to enable a reasonably accurate calculation to be made of what juries would be actually required, and thus save the grievous waste of time involved in summoning day after day the juries needed for causes not in fact reached: thirdly, to diminish materially the number of separate applications in the nature of appeals, such as motions for new trials, or on leave reserved, or the like; for, though these might be as usual as ever in the case of trials by jury, there would be comparatively few such trials; whilst the causes heard before a single judge would not be such as to give rise to many such applications, and there would obviously be no place for them in the case of causes heard before the Court in Banco: fourthly, to provide an eminently satisfactory tribunal, instead of a cumbrous and unsatisfactory one, for that large class of cases in which the real contest is rather on the application of known law to admitted facts than on any doubtful question, either of law or fact; and which are now taken down *pro forma* for trial before a jury, and either referred or made the subject of special cases or special verdicts, or of some other of the contrivances which the ingenuity of successive generations of lawyers has devised for obtaining the decision of the judges on matters which cannot be brought directly under their cognisance; lastly, to obviate to a great extent the necessity for arbitration—that most dilatory and expensive of all methods of decision—by providing a Court of more satisfactory referees than, in the great mass of cases, the parties could find for themselves.

It remains to see whether the principle of this suggestion can be feasibly extended to Courts of Equity, and we do not see any insuperable difficulty in the way of this result. If all the causes set down in the Court of Chancery were placed in the first instance in one general list, subject to removal in precisely the same manner as already suggested for Common Law, we believe that there would be no difficulty whatever in providing an efficient bench of three judges for the decision of all causes removed into their list, and yet leaving sufficient judicial power to dispose of all the remaining causes, as well as all interlocutory and purely administrative business, without any greater delay than is now experienced in obtaining the final decisions of these classes of cases respectively.

For this purpose six judges would, we think, be sufficient, who should sit in rotation as follows:—Three in the full Court, one singly for hearing causes not referred to the full Court, one at interlocutory business and one in chambers. The rotation might be daily or weekly, as was found to work best; and some little further arrangement might be required if it was thought desirable that the same judge who had heard the interlocutory applications (if any) should be present at the hearing of the cause; but this would not, in our opinion, be material, or even advantageous.

It will be observed that we have assumed that the distinct *constitution* of the Courts is to be preserved, and this is, we think, highly desirable: their distinct *jurisdiction* is a very different matter, and this we propose to make the subject of a future notice.

(To be continued.)

ARCHIBALD SMITH—IN MEMORIAM.

Mr. Archibald Smith. M.A., LL.D., F.R.S., whose death was announced last week, was a man of whom the profession may well be proud; for in the midst of a practise at the bar above the average, both in extent and importance, his industry found time for mathematical and magnetic researches of such an order, and pursued with such success, that he gained for himself an European fame, and nautical science received benefits, the practical importance of which it would be difficult to overstate. He was born at Glasgow in 1813, and was the only son of Mr. James Smith, of Jordan-hill, well known as a geologist and author of the learned work on the Voyage and Shipwreck of St. Paul. At the University of Glasgow Mr. Smith was a contemporary of the late Dr. Norman McLeod and the present Archbishop of Canterbury, with both of whom he retained his intimacy and friendship through his life. From Glasgow, after a distinguished career, he went to Trinity College, Cambridge, where he was Senior Wrangler and First Smith's Prizeman in 1836, and was shortly afterwards elected Fellow of the College. It was about this time that he contributed so much to the Cambridge Mathematical Journals; and these contributions it has been said, marked quite a new era in Mathematics at Cambridge, and materially changed the position of England, bringing her to the front of all European nations in Mathematical Science.

It may be mentioned that both at Glasgow and at Cambridge his athletic powers were very remarkable. He pulled in the Trinity boat of which the late Lord Justice Selwyn was stroke; all the oars in that boat were reading men, and were familiarly known as "Peacock's examples" (Peacock being the tutor of the day). It was no doubt due to a marvellously strong physical constitution, well trained in early life, that Mr. Smith was able so long to sustain the enormous strain of mental effort and the want of rest to which he never scrupled to subject himself in the pursuit of his studies. He and his father were first rate yachtsmen, and well-known on the Clyde. When a lad of 16 he was able to manage his father's yacht single-handed, even in difficult weather; and he retained his love of yachting to the last.

Having chosen the profession of the bar, he became a pupil and friend of Mr. James Parker, afterwards Vice-Chancellor, and succeeded to the sound legal learning and careful method which distinguished that judge. It was at the request of Sir Edward Sabine, sometime President of the Royal Society, that Mr. Smith first began the investigations in magnetism, which have made him so famous; and he worked at and published the magnetic observations, which had been made by Sir James Ross in his Antartic Voyage. He then took up the formulæ re-

lating to the deviations of the compass, and improved upon the general equations of Poisson. This work, the results of which were published from time to time, occupied him from 1842 to 1847; and in 1851, at the request of Captain Johnson, Chief of the Compass Department of the Royal Navy, he elaborated from the formulæ convenient practical tables, and these tables are now in constant use in all the navies of Europe and of America, and upon them the safety of all large ships, especially when built of iron, may be said to be dependent. In 1862 he assisted Captain Evans, the Chief of the Compass Department of the Royal Navy, in his new edition of "The Admiralty directions for correcting compasses," and therein for the first time he fully treated the mathematical theory. This book has been translated into Russian, French, German, and Portugese. We do not consider this the most convenient place to particularize further Mr. Smith's investigations; which were numerous and progressive, and all undertaken as labours of love; but we must notice some of the recognitions which they have received. In the year 1865 the gold medal of the Royal Society was awarded to him. He was elected by the Naval Scientific Committee of Russia, with the sanction of their highest authorities, their corresponding member, and in the year 1866 the Emperor of Russia, with a most complimentary letter, presented him with a gold compass, emblazoned with the Imperial Arms, and set with thirty-two brilliants. Recently, too, our own Government offered him a present of £2,000, and intimated the fact to him in a handsome letter from the First Lord of the Admiralty, begging the acceptance not by way of recompence, but as a mark of the high appreciation which the Government had for the services which he had rendered. And it was in consideration of his scientific position that he was chosen as the Liberal candidate, at the election for the Universities of Glasgow and Aberdeen, when they were formed into a parliamentary constituency in the year 1868. Nothing could have been more beautiful and simple than the manner in which Mr. Smith used to refer to his own attainments; but their real character may be judged of from a statement which he once made to the writer, that the number of persons in the whole of Europe who were competent to follow thoroughly the processes upon which the results of his calculations were based, could be literally counted upon one's fingers. These select few, however, included a name which is eminent at the Chancery Bar. When Mr. James Parker was made Vice-Chancellor he appointed Mr. Smith his secretary, and he was also secretary to the Decimal Coinage Commission, which made its final report in 1859. In that Report there is a *résumé* of the subject by Mr. Smith, and one may see there not only the special knowledge which he had collected on the matter in hand, but an example of his thorough and exhaustive style, close, compressed and rich with fruits which it had cost him long labours and careful thought to mature. Ungrudgingly and without parade he used to offer the products of his toil: "This," he said to the writer, pointing to one half page of figures in his book, "cost me six weeks of hard work." It was thus he ever worked: no pains seemed to be too much, and consequently a marvellous neatness and elegance adorned all that he did. In his profession, although he did not attain the same exceptional eminence as in science, there was much that deserves notice. His mental characteristics were of course more or less apparent here. As a draughtsman few could compare with him for conciseness and perspicuity. His opinions were much esteemed; and his arguments, though far from brilliant in manner, had in them so much sound law and careful and subtle analysis that they were always of interest and value, and commanded the respect and attention of the judges. The important change which substituted figures for words as to dates and sums occurring in bills in Chancery was made, it is believed, at his suggestion. The well-known case of *Jenner* v. *Morris* (on appeal 3 D. F. & J. 45, 9 W. R. 391,) is an instance of one of his successful arguments, and the case of *Deare* v. *Soutten* (9 L. R. Eq. 151, 18 W. R. 203), in which the former case was reconsidered and confirmed, illustrates the research and industry which he was wont to use in all matters which came before him. A judgeship in Queensland was offered to him about the year 1864, but he declined it.

In private life those who knew Mr. Smith best loved him most; for behind a reserve which is perhaps incident to engrossing thought, especially when it is concerned with subjects above the level of ordinary men, he kept ever a warm and true heart; and the affectionate regrets of his friends testify to the guileless simplicity and sweetness of his disposition, which nothing could spoil or affect. About two years ago he was compelled by ill-health to give up work, but he had wonderfully rallied, and the attack which ended fatally was unexpected and of but a few hours' duration. In 1853 he married the daughter of Vice-Chancellor Sir James Parker, then deceased, and he leaves six sons and two daughters.

COURTS.

JUDGES' CHAMBERS.

(Before Mr. Justice GROVE.)

Jan. 3.—*The Birmingham Municipal Election—Pickering* v. *Startin.*

This was a summons to amend the petition as to several matters. Three points were urged in reference to the amendments. It was alleged that the counterfoils of certain of the ballot-papers did not bear the number of the votes on the Burgess-roll, and that there existed no means to detect the use of the ballot-papers. Another point was that the presiding officer at one of the polling-booths counted in the votes the votes on the "tendered" ballot-papers, and put them into the ballot-box, whereas the Act required them to be sealed up in a separate packet. It was also alleged that the Returning Officer had not sealed up the ballot-box, but that the papers were allowed to be open, which was contrary to law; and it was prayed that he might be made a party to the petition, as the Court had power to make the parties, or any of them, pay the costs of the proceedings.

Tindal Atkinson said he should be able to show that the Act had not been complied with, and, on the trial of the petition, which was appointed for the 13th inst., that votes had been given which were invalid, and therefore the election was void.

Reginald Brown mentioned that the majority at the ward in question was only three, but in favour of the Conservative.

Tindal Atkinson read the second section of the Ballot Act, and said there was no provision in that section as to the way in which improper voting was to be detected. There were directions in the rules made, and in the Corrupt Practices Act further directions were given. He wanted to amend the petition as to the manner in which votes had been given. For instance, A. might ask for a paper and vote. Afterwards another person, claiming to be the real A., might ask for a ballot-paper, and it was the duty of the presiding officer, who at each booth acted under the Returning Officer, to give a different coloured paper, called a "tendered" ballot-paper, and that paper was not to be counted in the votes, but to be put into a separate packet and sealed up. At one ward in this case there were twenty-nine such papers in the votes, and therefore it was important where the majority was only three to have the question raised on the hearing of the petition. It was only when an order to inspect had been made by a County Court Judge that such a matter could be discovered. It was also asked that the Returning Officer might be made a party to the petition, in order that the Court might ascertain the question whether he was not liable to pay costs for neglect of duty. The scope and object of the Ballot Act was secret voting, but in this case there had been a manifest default, by the manner in which the proceedings had been conducted.

Mr. Justice GROVE could not see how he could make an *ex parte* order that the Returning Officer should be made a party. If he was liable he could be proceeded against.

Reginald Brown said he did not appear for the Returning Officer. There were provisions in the Act under which for any misfeasance he could be fined £100.

Tindal Atkinson said he had been served with a copy of the summons, but did not appear.

The learned JUDGE observed that, in effect, it would be a new petition if the amendments proposed were allowed to be made, and he certainly felt some difficulty in the matter. His Lordship, as the case proceeded, made some alterations in the proposed amendments, with the consent of the parties.

Tindal Atkinson urged the matter as one of extreme importance to the public, and, as the Act had been infringed, that full enquiry should be made as to the manner in which the election had been conducted.

Reginald Brown ventured to suggest that the objections raised were merely "technical," and not of the important character described. Whatever order his Lordship made he should ask that terms might be imposed, and that the other side might pay the costs. The petition was for hearing on the 13th inst., before Mr. Dowdeswell, and as there was to be a scrutiny of votes on both sides, the required notice could not be given, and he had to ask his Lordship that the hearing might be postponed.

Mr. Justice GROVE, after a reply by *Tindal Atkinson*, in which he maintained that the object of the Ballot Act had been in this instance defeated, said that very grave questions had been raised, and, sitting at Chambers, they were of too much importance to be decided by him. He might say that points of less importance were heard before the Court in Banco. He should therefore refer the matter to the Court of Common Pleas.

Reginald Brown applied that the trial of the petition might be put off.

Tindal Atkinson could not, he said, oppose such an application. There was not time to give notice for a scrutiny by the day appointed for the hearing.

His LORDSHIP, in allowing a postponement, remarked that he had seen enough (and it was good the matter had been ventilated) to show a formidable business for the Court of Common Pleas under the new Act.

Reginald Brown thought the Legislature could not have seen the questions likely to arise when they passed the new law. He had no doubt that when the parties to the petitions in the other cases saw the proceedings in the newspapers they would apply to his Lordship.

The learned JUDGE could not help thinking that such important matters, considering the applications before a Judge at Chambers, should be taken by one of the Election Petition Judges.

Mr. Lumley Smith, who happened to be present, said an application had been made to Mr. Justice Blackburn, and he had sent it to Chambers, as the rules gave authority to any Judge to hear such matters.

His LORDSHIP thought the questions raised far too important, seeing the business at Chambers, to be disposed of except by an Election Petition Judge or the Court.

The matter was referred to the Court of Common Pleas, and will be mentioned early next Term.

The hearing of the petition was postponed to the 27th inst., subject to any further application in that matter.

Jan. 4.—*The Barnstaple Municipal Election.—Crasweller and others* v. *Avery and others.*

Gorst was for the petitioners, and *Lumley Smith* for Ratcliff; and *Tindal Atkinson*, in another summons, for the other respondents.

Gorst for the petitioners, asked for an inspection and production of certain ballot-papers in order to substantiate the allegations in the petition, and referred his Lordship to the 40th rule in the Ballot Act (35 & 36 Vict. c. 33), which he read: "No person shall be allowed to inspect any rejected ballot-paper in the custody of the clerk of the Crown in Chancery, except under the order of the House of Commons, or under the order of one of her Majesty's Superior Courts, to be granted by such Court on being satisfied by evidence on oath that the inspection or production of such ballot-papers is required for the purpose of instituting o maintaining a prosecution for an offence in relation to the ballot-papers, or for the purpose of a petition questioning an election or return, and any such order for the inspection or production of ballot-papers may be made, subject to such conditions as to persons, time, place, and mode of inspection or production as the House or Court making the same may think expedient, and shall be obeyed by the clerk of the Crown in Chancery. Any power given to a Court by this rule may be exercised by any Judge of such Court at Chambers." The Corrupt Practices at Municipal Elections Act made the Court of Common Pleas the Superior Court. By the rules in the Ballot Act it was provided that "all ballot-papers, which in the case of a Parliamentary election are forwarded to the clerk of the Crown in Chancery, shall be delivered to the town clerk of the municipal borough in which the election is held, and shall be kept by him among the records of the borough and the provisions of Part I. of this schedule, with respect to the inspection, production, and destruction of such ballot-papers and documents, shall apply respectively to the ballot-papers and documents so in the custody of the town clerk, with these modifications—namely, an order of the County Court having jurisdiction in the borough or any part thereof, or of any tribunal in which a municipal election is questioned shall be substituted for an order of the House of Commons or of one of her Majesty's Superior Courts, but an appeal from such County Court may be had in like manner as in other cases in such County Courts." He suggested that the expressions "any tribunal in which a municipal election is questioned" would apply to the Court of Common Pleas.

His LORDSHIP thought not, but that it had reference to the Judges appointed to try the validity of the elections.

Tindal Atkinson remarked that it applied to the "Election Court" established by the Act.

Gorst confessed that he felt great difficulty in the matter. The petition was for trial on Friday next, and when the case was before Mr. Justice Quain that learned Judge was informed that the County Court would not sit again till the 14th of the month, by which time the case would, perhaps, be over; and he suggested that the Judge of the County Court might make an order before that time—that was to say, *in camerâ*, at his own house, but he might mention that Mr. Serjeant Petersdorff, the Judge of the County Court, had intimated that he could not make such an order but in open Court.

Mr. Justice GROVE observed that it was a *casus omissus*, and he had seen enough to think there were other omissions in the Act.

Tindal Atkinson remarked that the petition in this case had been filed in November, and an application might have been made on the subject.

His LORDSHIP said he would not say the plain meaning, but the apparent meaning was the tribunal established to try the petition.

Gorst rejoined that a special case could be heard by the Court of Common Pleas.

Mr. Justice GROVE said that was in the nature of a consent by both parties. He could not see how he could grant the application. It must be granted by the County Court or the tribunal by which the election was questioned.

Gorst added that the words were by "any tribunal by which a municipal election is questioned." The County Court would not again sit until after the case was appointed for hearing. He had felt the difficulty of the matter, and would not press it further.

His LORDSHIP said he did not mean to say that the matter was clear, but he did not see his way to interfere.

Lumley Smith applied for costs.

Gorst said all that could be done had been done before the trial.

The learned JUDGE, in refusing the application, made no order as to costs.—Abridged from the *Times*.

EUROPEAN ARBITRATION.—Lord Westbury will resume his sittings on Tuesday, the 20th inst., and will sit daily until the 4th of February.

APPOINTMENTS.

Mr. Edgar J. Meynell, Recorder of Doncaster, who was called to the Bar in 1852. has been appointed to the post of Judge of the Durham County Courts, Circuit No. 2, vacant by the resignation of Mr. Henry Stapylton, in consequence of severe illness. Mr. Stapylton was appointed in 1846.

Mr. Francis F. Pinder has been appointed Junior Counsel to the Inland Revenue Office in place of Mr. C. Hutton, promoted to be Judge of County Courts in Circuit No. 5.

Mr. Sidney Smith, of No. 1, Furnival's-inn, Holborn, has been appointed a London Commissioner to administer oaths in the Court of Chancery.

GENERAL CORRESPONDENCE.

*** We hold over a letter with reference to the Rules under the Chancery Funds Act, as we have not yet been able to obtain information on authority on the subjects referred to by the writer.

"The Law's Delay."

Sir,—Referring to the article in your last week's issue (page 181) on the above subject, it has occurred to me that much of the delay which is so justly deplored would be avoided, were the practice in the Courts of Chancery and Common Law assimilated to that in the Court of Probate and Divorce respecting applications for time to take any step.

In the last-mentioned court the rule is, to allow no more than the time specified in the orders of the Court for pleading or otherwise, except at the expense of the suitor requiring the indulgence, whatever the result of the suit; and so strictly is this rule enforced, that no costs of or relating to applications for *time* are allowed even to a wife as against her husband.

It may well be objected, however, that this rule, though suitable to the comparatively simple procedure of the Probate and Divorce Court, would work with unendurable harshness in the other Courts, and I should not desire to see it introduced there without modification; but the spirit of the rule is excellent, and if it were laid down that no enlargement of time would be granted *as of course*, but only on cause shewn, and on affidavit, *or, in the alternative, at the expense of the applicant*, a vast deal of mischievous and idle procrastination would be prevented.

I am afraid that the practice of giving time, the most valuable of commodities, with such a lavish hand, especially in chancery business, has grown up side by side with another evil, viz., the monopoly of practice by large firms of lawyers, which may be described as joint-stock companies, trading wholesale in the article, and employing each an army of clerks.

In these firms the great object is of course to get as much business as possible, and no doubt to do it with reasonable dispatch; but with a crowd of suits and actions on hand, it is impossible to get on very fast, and the "order for time" (which, to the unlucky suitor is a mystery and a nuisance, and to the modest "one-horse" practitioner an unmitigated evil), is to these plethoric firms a real blessing.

John Tucker.

68, Chancery-lane, 6th January, 1873.

The Trustee Relief Act.

Sir,—A client of ours has died possessed of shares in a Country Joint Stock Bank, having unlimited liability. These the executors have sold; and having realised the other parts of the estate, and paid the debts, have now in hand a clear residue for the legatees. One counsel advises us to pay this residue into court under the Trustee Relief Act, explaining the liability in respect of the bank shares under the Act 9 Geo. 4, and he doubts not the Court on petition would order payment of the fund to the legatees without prejudice to the right of the creditors of the bank at the time of the transfer of the shares to follow the fund in the hands of the legatees, and he advises the executors that they would thus get relief from responsibility.

Another counsel, however, advises that the Trustee Relief Act does not apply to such a case, and that, even if the Court received the fund, the executors would, in case the bank should be wound up, still remain liable to be placed on the list (B) of contributories, leaving them to claim over against the legatees, so that the bank receipt would not afford them any protection.

He thinks the Act only protects in cases to which the Act properly applies, and he advises an administration suit as the only protection to the executors.

It is in this case, for many reasons, very desirable to avoid the costs and loss of time attending a suit, and if the fund can be paid in under the Trustee Relief Act, and the Court will divide it, and the executors can thus be protected, it is desired to take this course.

Can any of your readers refer us to any decision that will help us to determine what to do for the best in this matter?

A. B. & Co.

SOCIETIES AND INSTITUTIONS.

INCORPORATED LAW SOCIETY.

A meeting called by circular. to consider certain proposals in reference to the Incorporated Law Society was held at the Freemason's Tavern, Great Queen Street, on Wednesday, February 8, 1873, Mr. C. E. Lewis, M.P., in the chair.

Amongst others, there were present Messrs. Atkinson (Liverpool), Baker, J. Boodle, H. C. Barker, Braithwaite, J. C. Barnard, B. Batchelor, J. Batchelor, Blyth, F. W. Blake, Carpenter, G. W. Chinnery, J. R. Cover, H. Cosedge, C. Cole, H. A. Deane, Emmet, C. R. Gibson (Dartford), J. P. Godfrey, J. W. Howlett (Brighton), W. C. Hall, J. A. Hales, Hedger, Harcourt, Halse, Kenrick, Kimber, Keighley, Longbourne, C. Lewis, M.P., Manning, Miller, Marriott, Mount, J. J. Morton, J. Mote, Metcalfe, Peacock, F. Parker, T. A. Phillips, R. Roberts, Renard, H. G. Smith, Stevens, J. A. Charp, J. L. Lyons, J. B. Salaman, A. Turner, Tremlett, Treherne, Tucker, J. Walter, D. G. Wollick, Woodbridge, Wolferston, Wyatt, Warmington, J. Waller, &c., &c.

The Chairman said that before he proceeded to make the observations which seemed to him to be necessary in order to justify the holding of the meeting, and the taking action on the subject, he wished to say he had had several communications from many members of the profession, both in town and country, many of whom had desired it to be mentioned that it was with much regret they found themselves unable to attend the meeting, but they would cordially co-operate with them in the matter. Amongst gentlemen in London, there was Mr. Nelson, the city solicitor, Mr. Gedge, the solicitor to the London School Board, Mr. Isaacson, Mr. Hibbert, and Mr. Barber (of Wild & Barber). Amongst those in the country were Messrs. T. Saunders, Birmingham; Gille, Liverpool. Oldman, Gainsbro'; Michelmore, Newton Abbott; Cooke, Bath; Bromhead, Sheffield; Oliver, Sunderland; Thomas Avison, Liverpool; Fowler, Wolverhampton; Johnson, Nottingham; Peake, Salford; Bartlett, and Lowndes, Liverpool; and Jevons, Liverpool; Goble, Farnham; Green, Worthing; Hayward, Rochester; and many others. He had on the table a large number of communications which dealt with the subject matter of the meeting, all of which expressed cordial sympathy in the objects. He wished in the first instance to say especially (in which he knew they would all coincide) they did not desire to take up this matter in any feeling of hostility to the council, still less to any personal member of it. They were dealing with this question as a professional matter, and he believed that if there was any fault connected with it, it was the fault of delay instead of precipitancy, and that if they had attended to their own interests and duly regarded that which affected them as individual members of the profession, and as men, they would long since be entered upon that career of usefulness which ought to have marked them. He would not introduce politics, but he thought sufficient was known of himself as being a man not remarkable for extreme Liberal opinions. But in

these days we were told by men of high authority that there were three tests to which every public institution must condescend to submit itself. In the first place as the French would say has it a *raison d'etre* for its existence? Secondly, does it accomplish the object for which it is in existence? and thirdly, is it open to reform and can its operations be extended and improved? He wished to deal with this liberal view of looking at things, and to which he cordially assented without reference to any more extended application of the doctrines involved. Now, has the Incorporated Law Society any reasons for its existence? It seemed to him that it had three or four very essential reasons why it existed and for what it was designed to accomplish. It was, in the first place, designed to protect the profession from unjust conduct from without and from pollution within. In the next place it ought to be designed to aid in such legal reforms as should accomplish a public good. In the third place it ought to accomplish the great end in view in a semi-social organization like this, and secure the just rights of the legal profession out of whose members it was extracted; and in the next place, and finally and essentially, and he would put the point in the most emphatic way, it ought to be really and substantially and effectively a representative body of the profession to which it is allied. That was the first point, has the Law Institution a reason for its existence, and as he had answered that, he would next ask, does the present Law Institution in its organisation and work and results accomplish the design and end for which it was originated? He would not attempt to answer that categorically yes or no, for if he said yes there would be a howl of indignation from every person in the room, and if he said no he should be making an exaggerated statement of the evils of which he felt he had a right to complain. But he would endeavour to place before them in succinct language that which he had extracted from letters and communications, namely, that there was a widespread impression that the results of forty years of privilege and work were wholly inadequate to the prospects and the promises held out. If he were to say that the Council of the Law Institution had become sluggish and apathetic he thought it would not be difficult to prove it. If he were to say beyond this, that for many years a seat in the Council of the Law Institution had been looked upon rather as a plum of retiring dignity than the place of active work, he would be stating that which would carry along with him the feelings and the judgment of his audience. If he were further to say that during this important period of forty years, encroachments have been unfairly made on that branch of the profession to which they belonged, he thought he could give ample proofs and cases to justify the attack thereby involved. If he were further to add that during this period of forty years run of this oligarchical body in Chancery-lane there had been gradually rising in the mind of the Legislature an assumption that a barrister of seven years' standing whether he knew anything or nothing was qualified for every place, and that an attorney of thirty years although he knew everything was qualified for none, he felt he should be justified in asking them to assent to his proposals. If he were to go further and say that while the education and the attainment and the purity of practice of his branch of the profession had been during all this long course of years in a state of continual progress and advancement, they had had no such analogous progress in the public recognition of them or qualification for legal offices, he thought he should fill up to the brim the cup of wrath and indignation which they felt, for he would not say annoyance, and that the successive councils of the Law Institution had not justified the expectations or promises they were brought into existence and placed over us to accomplish. Then he would come to the third point, was there any need for and capacity of reformation? As to the necessity for reformation the observations he had made would justify them or else his case was gone. As to the capacity for reformation he might be permitted to say this, that in a body so influential and so justifiably powerful in a social point of view, and having such abundant reasons to protect their own interests which have no competition even in the magnates of their own profession, there is an opportunity in the 10,000 or 11,000 members of the lower branch of the profession as it is called, if they choose to become members of the Law Institution, to rise at last, and although they may not be able to overtake lost ground and to recover for the injuries and neglect and delay of a quarter of a century, still there are opportunities to recover the position they have a right to assume, and to prevent further damage being done in the direction already pointed out. Therefore they had every reason to believe that not only was there the necessity for reform but the opportunity for effecting it. He would ask leave to point out as a practical and significant instance of the way—the old official and old Tory way if they would—in which the affairs of the Law Institution had been managed for some forty years, that although it is a fact that the council has at its disposal an annual income of £12,000 a year, derived not only from the members of its own body—which it affects to represent but which it really does not—but from the entire body of the profession, which it does not affect to represent, but which it ought—the only published accounts of the income and expenditure were comprised in a little document he twirled between his fingers. He quite admitted that if they were to go and see that most polite and pleasant gentleman, the secretary, they would not have the least difficulty in seeing it, though they might to under- stand it, which would depend on the amount of time they could bestow; but he would ask them if it was not a disgrace to the governing body of the institution to publish such a statement? The paper he held in his hand had reference only to a part of the income, and then there followed the statement, the society begged permission to add that during the past year their receipts from all sources whatever, annual subscriptions from members, rents for rooms, registration fees, &c., &c., was £6,975 13s. 1d, while the expenditure was £7,466. He would ask whether that sort of thing would be endured by any class of business men or by any other organisation, be it benevolent, social, or charitable, or public, whether it be connected with finance or trade or anything else, whether that would be endured for one moment, and whether that was not a state of things which for the sake of their own character as business men, it was desirable at once to extricate them? Many of his friends said, what is your objection, Mr. Lewis? What are you going for? And what is your ground? He wanted to explain what he felt was the concrete form. He had given them the abstract; what he understood to be illustrative of the feeling which he himself entertained, and which he believed was very strongly entertained in town and country. In the first place he would refer to a subject which the public understood as well as the profession, and which would probably branch out into questions and proceedings elsewhere, which might be a public aspect. In this matter they were not working for themselves, merely, and it was their fault if they did not put the questions that relate to the legal question before the public in such a way as to annihilate the absurd and ridiculous idea that the barrister is everything and the solicitor nothing. He had been in the legal profession as a tyro and a practitioner within eight or ten years as long as the Law Institution had existed. He had watched it very narrowly, and for a very long time he thought, "Those are very fine fellows sitting in Chancery-lane" and he really thought that they were doing good; he stood by them as long as he could. His allegiance, however, had been waning for a long time, and at last, all the milk had turned sour. He had come to the conclusion that they had been sitting upon their nests, that they had neglected opportunities of doing them good, and the public good, and that the time had come when they ought to sound the tocsin of war or reformation. He preferred reformation, but if they would not do that, then there would be war. To refer to the question of the system of counsel's fees in town and country assizes, and at Nisi Prius, in Chancery and Common Law, what did they think of that? Did they think that they as members of the lower branch of the profession as they were called, had done their duty in allowing the present system to go on as they had done. Did they think the Law Institution had done their duty in not preventing the gross evils which had accumulated upon the system, and which had been intensified during the last twenty-five years in a way quite remarkable? The old notion of the counsel receiving his honorarium in respect of which, in a pure and and stainless conviction he went into the court of law or equity for the purpose of

pleading on behalf of his clients without the remotest idea of benefiting himself, has got from that to the highest round of the ladder, so that a gentleman called the counsel's clerk will come and bargain with you for an increase of his fees, because the opposing counsel has had the fee on his brief increased 10 guineas. Why to maintain such a system as this, and to say that it is necessary for the dignity of the bar and for the purpose of preserving the honour and integrity and position of the bar in the higher position—lower might be said—was simply to continue an obvious public scandal which ought long since to have been relegated to the tinder to which it deserved to be gone. What had the Law Institution done in reference to the extremely honourable system, for they were all honourable as they all knew, whereby a counsel at the Common Law bar operates upon eight courts at once or rather upon eight pockets at once, for that was what it meant, and who thought it consistent with the dignity of the bar to receive briefs; it was utterly impossible to read or to work and to allow clients to turn round with indignation upon the unfortunate solicitor and say "where is the counsel to whom I paid the heavy fee to be present?" This was a matter which could not much longer be shirked by any institution or any profession. What has the Law Institution, he asked, done with regard to this? Did they think such abuses as these could be stood if the profession had been called to protest against the system which had been worked in such a way as almost to be designated as wicked? And this is one of the illustrations of the evils which for forty years they had been subjected to by their friends in Chancery-lane. This scandal would not have existed six months if the council had gone to the judges, the benchers and to the council themselves, and insisted upon the fair and honourable division of labour which they knew had so long existed in the Courts of Chancery.

Another question was that very lively, pleasant word, as it sounded in the ears of many people—arbitration. Oh what a will o' the wisp was that. What did they think of arbitration? Judges who wanted to get away for some country town on a particular day to spend it with some country gentleman, barristers doing the same, in the middle of a long cause which had been hardly borne by the client at an expense too of hundreds of pounds, saying "Oh this must be referred to arbitration," and where there has been a protest against it by the client, and by some young solicitor whose professional reputation may be staked thereby, and then begins that long and weary series of meetings, when Mr. Jones, the plaintiff's counsel, cannot possibly come, and Mr. Smith, defendant's counsel, cannot possibly come the next time, and the arbitrator is called away on the third occasion, and all your witnesses, who have been waiting in a dark and dreary chamber, are sent back to the country at the cost of much money, having come up first-class. That is what you are subject to, and why? Because they were nothing, and judges had got a doormat on which they could wipe their shoes, and that was the broadcloth of the profession. What too, he would ask, was the system of Chancery judges' chambers, where a judge worn out with the entanglements of Court work and the bullyings of counsel it may be who respect him as much as they do their own clerk, in some cases comes into chambers nominally at 3, perhaps you may see him at 4, and then there is a list of thirty or forty cases which have to be considered, involving the custody of infants, questions of the most delicate character as regards married women, questions involving thousands of pounds, administration suits, and so forth. Where are they to meet? Well if it happened to be in Vice-Chancellor Wickens' Court they had the option of being fried in summer or frozen in winter, and that was the position they were in, and these gentlemen at the Law Institution feel no difficulty about it. He said it was a perfect disgrace. He had always maintained that the solution and dividing line in the history of their branch of the profession was in the year 1846, when the County Court Act passed. The county court judges then were not such big men as they are now, when they can do almost everything, and which is supposed to be the ultimate depository of all social and legal truth. He had always said, recollecting that many of the Small Debts Courts in existence at the time were presided over by solicitors, that was the time for them to have protected themselves against the base idea that a man could be called a barrister who had eaten a certain number of dinners. The Law Institution had never in this or in any other of the cases he had mentioned appealed to those to whom they ought to influence (namely, the profession) public opinion of the country against these ideas which were growing up, and against these lapses for their own professional rights, and that was the indictment he had to make against them. Then, in conclusion, he would ask one or two questions. Was it not the fact that their body throughout the country was possessed of enormous power if it were only well organised and effectively executed. They were nearly 11,000 in number. Did they suppose that they were not as influential as the publicans, and the question was, in prospect of a general election, "What were the publicans going to do." By reason of their attention to their own interests the publicans had made a great resistance to their toes being trodden upon, and consequently aspiring and intending cabinet ministers were not ashamed to court their influence. But they were relegated below them. They had no right to insist upon, or rely upon, any vested interests which were against the public good—that was his proposition, but they knew as a matter of experience that many changes had been made in their time which were really of no public benefit, and they had unfortunately were thought to be little or no right to be heard with reference to those changes, or as to the effect of them on the public good. They did not expect to be this kind of eclectic body, simply reposing on their dignity and allowing the interests of the profession to slip from under them.

But how were these evils and difficulties to be removed? In the first place he could not help thinking that it was a grievous mistake and an essential blunder in the constitution of the Law Society that it was not a representative body at all. It did not affect to be, but it certainly ought to be; every practising member had a right to be heard as to the selection of the council, and then it would be a representative body. But only in this sense was it so—that out of 7,000 members of the legal profession in the country some 650 choose to pay one guinea a year, and thereby they get a voice in it. In London it was a little bit better, and somewhere about one half of the number choose to pay their two guineas a year for the privilege, so that whereas you have over 11,000 in town and country, not more than one-fourth of them belong to it, and therefore, it is not a representation of the solicitors and attorneys. It is a representation of such portion of them only as to think proper to pay their money. When the charter was originally granted it was a joint stock company of respectable solicitors. That was it, and during its whole history it had never thrown off this joint stock company institution, and had never become a really representative body as it affected to be. He thought the way to attack it in the first place was to have no more of the house lists and elections on the nomination of the council. The elections had been upon the nomination of the council, the re-elections, and the elections to fill up vacancies. It had been a family matter. And it was actually said he did not know how true it was, that in the new charter they were not to have the power of electing ten additional members [A voice:—That only applies to this year]. It was wrong if it was only for a year, and he could not believe it, and if it were so, he should be very sorry for them, because they would be going to the Crown to increase the official character of the respresentation, and behind their backs had actually provided that they were to have the nomination. If that were so he should say "Let us go in for turning out the forty. Let us turn them all out, and let us have a clean slate." It would be their duty to take their stand in time, and thus vindicate the honour of their profession. Next July there would be the annual election, and he protested against the system. There ought to be a certain limited stream of new blood and new life continually flowing through the institution, without depositing any sediment on the way, and which should refresh all the elections in which it came in contact. He had already given notice of a motion to alter the bye-laws, and though this might be a slight point, but unless they could put a stop to the re-election of old members they would never be able to elevate the profession. But if they could induce new persons to come in they would make the society a most effective and powerful institution. In conclusion he would say he had had numerous communications from some of the very

small country members, and the feeling isunanimous that there is not the slightest inducement to country members to join the institution. The consequence was that their income was narrowed, and it was utterly impossible to say they represented the country members. From the beginning to the end they were surrounded by a circle of evils—one thing producing another, all of which, in his opinion, would be entirely annihilated and destroyed if they insisted upon getting rid of them and upon introducing new blood at every election, and so making it what he believed it was capable of being made, a throughly effective organisation for the professional and public good. He was not speaking mere nonsense when he said this question vitallly affected the public for did they in the main wish all the infirmities of human nature and of their professional calling perform a certain amount of public good, and were they accomplishing the objects they had in view. If this question be answered in the affirmative as he felt it would, they need not be afraid of this or their interest, or of the terrible reign of barristerdom which had kept them down so long and which would be soon overthrown. They had hitherto been subject to a paternal, he would not say a rational, Government, and the council had become a dignified position for retired ease or satisfied professional emolument. But as to its being a really representative body it remained with them to accomplish that and to effect the entire destruction and annihilation of the system of house lists for new members, and the introduction of a system of partial retirement from office which should effect the bringing in of new blood, and thus bringing the Law Institution into greater harmony with the profession generally, and enabling them to effect a greater amount of public good and the protection in every branch and in every department not only in the Legislature, but also in other departments of the State of those interests which he believed had been neglected by those to whom they had committed them.

Mr. EMMET, in moving the first resolution, said he quite coincided in every word of the eloquent speech of Mr. Lewis, and could illustrate his remarks on counsel's fees and the system of arbitration which had almost become a curse. He moved—"That with a view to the increased efficiency of the Incorporated Law Society, and to make that body and especially the council more thoroughly representative of the profession generally, it is advisable to secure at the forthcoming special election of additional members of the council, and at all subsequent elections, the introduction of thoroughly independent men of good professional standing and who are prepared to take active steps to promote the welfare and protect the interests of the profession generally."

Mr. R. H. WYATT: This is the subject upon which I have felt very keenly ever since I have been a member of the profession. Most of the gentlemen present, I dare say, can remember if they went to the play a long time ago, that the most atrocious character always in the piece was the Attorney. Well, I am glad to say that is wearing out to a certain extent, but its existence at all is to a certain extent our own fault. The instant I became a member of the profession I entertained the same sacred views towards the Institution as our friend appears to have done: and immediately I joined that Institution—and I have paid now my subscription for over twenty years—but I have been always at a loss to understand what good we derived from this. Certainly, so far as I am personally concerned, none, because it so happens that my lot has been cast in a branch of the profession where I have had no use for the Institution, and failed to discover any real good, and because I so thoroughly disagreed with the mode of managing affairs, I have often threatened to withdraw from the Institution, but I thought it was an act of cowardice, and I have remained; but I did take the liberty of attending one of the meetings, and only once, I think, since I have been a member, and having the privilege of the personal friendship of several members, I expressed my disapprobation of the mode of keeping the accounts, amongst other things, and I was told, as you heard before, I might see them upon going to the secretary at any time; but I also ventured to complain of some observations that fell from some members of the council, as to the distinction between the solicitor and the barrister, and I said quietly, the social position of the one was a good as the other. I was told not to kick against the pricks, it was a hopeless case to put ourselves on the same level as the barristers. What I complain of more than anything, is the very men who owe their position to our branch of the profession, are the very first to turn upon us when there is any social question of this kind brought forward. Well, gentleman, our distinguished brother in the chair has really exhausted the subject, and I think he has quite convinced you that it is absolutely essential that something should be done for the purpose of reforming the mode of administering our affairs. I for one, therefore, am especially delighted to lend my humble aid, such as it is, to further the design expressed in this resolution, and I have much pleasure therefore in seconding it.

Mr. MARRIOTT: It appears to me that we are in this position, that this society is called upon at various periods of legislation to represent the profession—the whole of the profession. Their opinion is asked—Acts of Parliament are modified, drawn, or passed, relying to a certain extent upon the representations and the representative character of the Council. I have been a member of it for forty years, both in town and country, and have been for a very long time a member of our Law Institution, and it is a painful duty to find one's self opposed to gentlemen on that Council, whom we respect as some of the best and first in standing in our profession. But there is a duty, first of all, towards our fellow countrymen, towards ourselves as individuals, and to our profession at large. In the section which says that if the Council be considered by the Government and Parliament the representative of the profession, that it ought to be so, and that we, the members of the Law Institution, are acting contrary to what would be strictly correct if we allowed that representation to go on under a false impression. Now, one of two things must arise to set us right, either a new Institution must be formed which will be representative, or else we must so modify or so impress our present Law Institution, that it shall really be what it professes to be. Now, the easiest and most practicable programme would be to adopt the plan which has been suggested from the chair. I entirely concur with the resolution with which this meeting has been opened.

Mr. GIBSON: When one speaks of the whole profession, we should give practical effect to what we do, in the interests of all those in the country as well as in London. Everybody knows what has been done hitherto in the Law Institution. I am practising in the country. There has been nothing for us to do but to sit still and see, and go home again, and go about our business, being well satisfied how thoroughly we were represented. Now, I need not say that whatever we were fifty or sixty years ago, railways and other means of that sort have enabled us to come to London, and to feel that we have some small interest in the profession in common with others in London, and, therefore, I take it to be of very extreme importance to country solicitors at large that in anything that should be done, and any action taken, their interests, should be represented, and not only for their own interest personally, but in the interest of the public good, of the profession at large.

The CHAIRMAN put the resolution, which was unanimously carried.

Mr. DEANE (Deane & Chubb) said it was no use their attending to-day and supporting the resolution, but they must be prepared to continue that support, and to work with great activity, as members of the committee, or their efforts would all fall to the ground. Before two years they would then be succeeded by sitting members in the council, and thus "have effected the needful change by the introduction" of new blood. He moved "that to effect the object stated in the first resolution it is advisable that a committee, of members of the society should be formed to aid in securing the selection of proper candidates, and to promote their election when selected, and that all members of the society willing to join such committee for these objects be admitted on notifying their willingness to act. That the proceedings of such committee be under the management of an executive of sixteen members, of whom twelve shall be London, and four country members, who shall be elected for two years in the first instance."

Mr. PEACOCK seconded it, and the resolution was put and carried.

Before I sit down, I wish to remark on the concluding words, that the election of the Executive Committee of sixteen members shall be for two years. If our efforts are to result in any good at all, we shall have succeeded by that time in getting new members introduced into the Council of the Incorporated Law Society for two successive years. If we have once done that, no doubt the chain of events will go on satisfactorily, and I particularly wish, so far as I am personally concerned, to say that I am thoroughly Conservative as far as the Incorporated Law Society is concerned; and as far as the Council is concerned. I am anxious to see new blood introduced into it, and to see it efficient, and worked in a thoroughly satisfactory way for the benefit of the whole profession, which I do not think it has done hitherto; but I am by no means anxious to see it swept away, nor to see any of the advantages of that institution thrown away. We should, in the course of two years, have effected such a reformation that probably no further need would be required for the services of the committee; and therefore, the time of two years has been fixed in this resolution.

Mr. HOWLETT, of Brighton, moved the following resolution:—"That the following gentlemen be members of such executive. Messrs. Deane, Miller, Marriott, Harcourt, Halse, Emmett, Baker, Mount, Treherne, Wyatt, A. Turner, Carpenter, Frederick Parker, Warmington, Tucker, Kimber, Keighley, Peacock, Blyth, Kenrick, Manning, Sidney, Gedge, C. Lewis, Loundes (Liverpool), Oldman, of Gainsboro', Avison (Liverpool), Saunders (Birmingham), Oliver (Sunderland), Johnson (Liverpool), Howlett (Brighton), Jevons, (Liverpool), Gibson (Dartford), with power to add to their number, and that they be requested to take steps to communicate the result of this meeting to the members of the society generally with the view of obtaining their adhesion, and that this meeting be adjourned to a day to be fixed by the executive." He said, I have a very strong feeling upon one subject, which I am a little surprised to find has not been alluded to in the remarks that have hitherto been made, because it is the greatest point almost in which the Council of the Law Institution have failed in their duty to the profession, and I am sure I shall have all your sympathies when I say, that it is on the all material point of professional remuneration. There is no question, of course, in which we have all so vital an interest, and I think we all agree that there is no question which is in so unsatisfactory a state. Some years ago the Liverpool Law Society made a very bold and a very successful effort to direct the attention of Lord Chancellor Westbury to the subject of professional remuneration, particularly that part of it relating to conveyancing charges. Lord Westbury gave an unexpectedly favourable opinion upon the subject, and invited further communications upon it, and the Council of the Incorporated Law Society professed to take it up. They summoned delegates of the different law societies from Liverpool and from other towns in the country, and I myself came up as a delegate from Brighton. Other subjects were involved in the proceedings, but the main subject brought before Lord Westbury was the subject of conveyancing charges, who, as I said before, unexpectedly appeared to give very favourable support to the idea, and it afforded a very favourable opening for the adoption of some better principle, which the Law Society afterwards carried out by merely publishing a scale of charges of remuneration by percentage. When we got up here to the meeting, in obedience to the summons of the Incorporated Law Society, we were all very cordially received. But when we got into the subject matter of the business on which we had come, the whole thing was turned off upon chancery and common law entirely, and all they did was to decide that they would draw the attention of the taxing masters to the question of chancery and common law costs—questions which did not affect the members of the Liverpool Law Society, who originated the question, and which did not affect nine-tenths of the country solicitors at all. The question of conveyancing charges was given entirely the go-by, and not only was the question of conveyancing charges given the go-by, at that time, but from that time to this nothing more has been done than to circulate the scale of charges, which, of course, has no authority whatever, and is merely an idea which we in the country cannot carry out. They are too heavy for us in the country to carry out. That is all that the Incorporated Law Society has done in that question of professional charges, and I do not hesitate to say that at the time that question was taken up at the instance of the Liverpool Law Society, they stifled it, and so all that the Liverpool Law Society had done was lost. At the present time, what is the outcry of all the people who are attacking our profession? The attack that is made is directed against the conveyancing charges, and we hear of most monstrous statements made by Attorney-Generals and Solicitor-Generals, by newspapers, and by Members of Parliament, against those conveyancing charges. They say that an acre of land or a house cannot be transferred without half of it being swallowed up in costs—that to pass a piece of property from one to another it takes £150 in costs. The Law Institution has done nothing to enlighten the public, the Bar, or the House of Commons. Why have they not gone before the House of Commons, or called us together to ascertain the scale of professional charges. Have they ever brought it before Parliament? If they had come and asked us who are solicitors, they would have found that we are in the habit of transferring a house or a piece of land between Monday morning and Saturday night, instead of the long delays which are talked of, and at an expense to our clients which is never felt, and that our costs are a mere flea-bite compared with auctioneers' charges. Why do the Council of our Law Institution set supinely under this accusation that is brought against us and never stir or say a word? I have been looking through the last session of Parliament for something to be said on this subject. I have been expecting that in the past, at all events in the future, we shall have some statement of the facts of the case brought before the notice of the public, and if the Council of our Incorporated Law Society won't do it we must do it for ourselves, or by a committee, or something of the kind.

Mr. CARPENTER.—Gentlemen, I have very great pleasure in seconding this resolution. At this time of the day I do not intend to occupy your time. I beg to repeat all the remarks made by Mr. Deane, which I think exceedingly pertinent. In explanation of the remarks made by Mr. Hewlett, as to why so little has been done, I may say that the reasons are shortly these—The Council of the Law Society hitherto have been what one may designate the magnates of the profession who have retired on their honours. They assemble once a month, or once a week, and do not feel that interest in the profession which younger members feel. The object of this meeting is, that we may introduce new life and new blood into the Council, and not always take the same members over and over again as a properly representative body, and so that we may have an opportunity of electing members of the Council who will represent us well, and do their duty to the profession. I beg leave to second the resolution.

Mr. W. T. MANNING.—There is one matter which has not been referred to. Every man who looks at the Law List, sees those asterisks and the various modes which are used to describe the members of various societies, and you find amongst them members of the Provincial Law Association. Now what is the meaning of that? Is it an *imperio in imperium*? Why did it become necessary to have a second institution? Because the country members have felt that their interests are altogether sacrificed, and put on one side.

The resolution was put and unanimously carried.

Mr. F. PARKER.—I entirely concur with the last speaker to increasing the number of country members and subscribers, and I think, if possible, to make it equal between town and country. It will increase immensely our power with the Incorporated Law Society, and as it will be easier to find London men to attend than country, a larger committee is wanted.

The CHAIRMAN said he wished it to be noticed that the only difficulty about making the country members have a larger share in the representation on the Committee was the physical difficulty of their absence and of the difficulty of naming them, not of design or intention.

Mr. W. C. HALL proposed a vote of thanks to the Chairman, which, having been seconded by Mr. KENRICK, passed unanimously, and the meeting separated.

The CHAIRMAN, in returning thanks, said that he had long since come to the conclusion that in a civilised country there was no justification for the distinction made

between a barrister and a solicitor being amenable to the law of contract, and if he lived and maintained his seat in Parliament he would test the opinion of the House of Commons upon this question. It would be the commencement of a long contest in which he would suffer many defeats, for he need not tell them how strong the barristers were in Parliament, but he was satisfied that when once the public mind of England and public opinion, through the power of the press, was centered upon that grievous anomaly, that in two branches of the same profession working together for the same end, viz., the vindication of public wrong, that one branch was amenable to the law of contract and the other was not, it was utterly impossible that in the 19th century whether they be desperate Radicals or fossilised old Tories, that the idea be maintained in any deliberative assembly. He hoped that those present who agreed with him would do all they could to ventilate the question.

LAW STUDENTS' DEBATING SOCIETY.

At the meeting of this society on Tuesday last (Mr. Hargreaves in the chair), the question discussed was No. 507 Legal :—"Can the owner of an undivided share in a patent grant a valid licence for the use thereof without the concurrence of his co-owners?" Mr. Leslie Hunter opened the debate on the affirmative side, on which it was ultimately carried by the casting vote of the President. It was announced that at the final examination of Michaelmas Term last the prize of the Honourable Society of Clifford's-Inn was awarded to the Secretary, Mr. Indermaur, and a certificate of merit was awarded to Mr. Francis, another member of the society. The presentation of the quarterly report of the Secretary was adjourned to the next meeting on account of his unavoidable absence.

"CORRUPT PRACTICES (MUNICIPAL ELECTIONS) ACT."

The Birmingham Petition.—Pickering, Petitioner; Startin, Respondent.

The hearing of this petition before Mr. Dowdeswell, Q.C., which was fixed for Monday next, the 13th, has been postponed to the 27th inst., by the order of Mr. Justice Grove, in consequence of an application which is to be made on behalf of petitioner to the Court of Common Pleas early in next term, touching the amendment of the petition.

The Newcastle-upon-Tyne Petition.—Hardwick and others, Petitioners; Brown, Respondent.

This petition has been turned into a special case by order of Mr. Justice Byles, pursuant to Rule 37.

THE JUDICIAL COMMITTEE.

II.

We continue our extracts from the evidence given by Mr. H. Reeve, C.B., D.C.L., before the Lords' committee which sat last session :—

87. We have been speaking of your practice in civil cases; do you wish to qualify what you have said with regard to the constitution of the Court for hearing ecclesiastical cases?

I am not sorry that your Lordship has been good enough to afford me an opportunity of stating precisely what has happened in important ecclesiastical cases which have excited a good deal of interest. In the first place, knowing that it was a matter of anxiety and curiosity to Parliament and the public, I entirely abstained always in these cases from doing anything at all without the most precise written instructions from my superiors, and the course which has been pursued latterly on more than one occasion, has been to summon the whole of the Judicial Committee. I was directed by the Lord President to do that.

88. That was a recent conclusion, I think, was it not?

Yes; but it was also done in the Gorham case.

89. But there were intermediate cases in which it was not done, I believe?

I mentioned to the Lord President that that course was pursued in the Gorham case, and it was done with more formality than usual in the Bennett case; the Lord President thought it a matter of considerable public interest, and interest to the Church, and accordingly a step was taken which is not very common; a letter was written to every member of the Judicial Committee, stating the time that was appointed for hearing the cause, and asking whether he would attend.

90. Chairman.—In that class of cases you thought it proper to bring the matter before the Lord President?

Invariably.

91. Marquess of Salisbury.—I understand that you did that in the Gorham and in the Bennett cases, but in the ecclesiastical cases that intervened between those two did you summon all the members of the Judicial Committee or not?

No, it depends upon circumstances. Many of those ecclesiastical suits are proceedings against clergymen for acts of impropriety, drunkenness, and so on. They are ecclesiastical suits as coming from ecclesiastical courts, but the issue to be tried is an issue of fact. They are, in truth, criminal proceedings of the simplest kind. The Lord Chancellor himself was good enough to sit upon an ecclesiastical case not long ago, but it was the purest issue of fact that could be conceived, so much so, that it might have been tried before a common jury.

92. Chairman.—You refer to a case of adultery?

Yes.

93. Marquess of Salisbury.—But there were several important ecclesiastical cases intervening between the Gorham and the Bennett cases, in which the issue was not one of fact only. There was the Westerton case, the Purchas case, the Voysey case, and the case connected with "Essays and Reviews"?

I do not think I was directed to summon all the members of the Committee in those cases, but we summoned a very considerable number of the members. I am certain that in all those cases I took precise directions either from the Lord President or the Lord Chancellor.

94. Lord President.—With regard to the Purchas case, which occurred in my time, you did not make any reference to me. I believe you took the directions of the Lord Chancellor?

That was the case.

95. Marquess of Salisbury.—Might we not say that the practice of summoning the Court was characterised by a certain amount of vagueness?

I think there must be a certain amount of vagueness in endeavouring to adjust the administration of the Court to the infinitely various circumstances with which we have to deal.

96. Lord Westbury.—Would it be possible to adopt any different system than that which has been pursued, as long as the members of the Judicial Committee have an option of attending or not, as they please?

I presume not.

97. If I rightly understand what has actually taken place it has been this. You have been in the habit in this class of ecclesiastical appeals of being more scrupulous than in the ordinary classes of civil appeals, and you have desired the direct authority either of the Lord President, or of the Lord Chancellor, to address a letter of request to individual judges; there having been some complaint or some murmur with regard to that, I think the conclusion arrived at the other day was, that instead of picking out judges it would be better to send a general circular to all the members of the Judicial Committee; was not that so?

Yes.

98. And that is at present the practice?

Yes.

99. Chairman.—Summoning does not exclude any one who has not been summoned; any member of the Judicial Committee may attend; is not that so?

That is a point which has never been settled. Of course, whenever any member of the Judicial Committee has signified a desire to attend, there has never been the slightest reluctance in summmoning him; a summons has been sent to him immediately.

100. The difficulty has been the other way, has it not?

Yes.

101. Lord Cairns.—Is it a matter of doubt whether a member of the Judicial Committee not actually summoned has a right to attend?

Yes, that point has not been settled. I cannot say whether, as a matter of law, he has a right to come, but the immemorial practice of the Privy Council undoubtedly is, that a Privy Councillor has no right to attend a committee of the Privy Council without a summons from the Queen. The

summons in these cases, as I understand it, is in reality a summons from the Queen to advise Her Majesty upon a matter that is pending. Applying the general rules of the Privy Council to this Committee, it might be said that a member who was not summoned had no right to sit there, but I cannot undertake to say whether the law which creates the Judicial Committee (it is an Act of Parliament) does or does not modify that. The case has never arisen, because of course there has never been the slightest disposition to object to the presence of any member of the Committee.

102. Lord President.—The other committees you speak of are committees appointed *ad hoc*, are they not?

There are all sorts of committees; there are general committees, and there are limited committees.

103. But in the case of special limited committees no one is a member of those committees except the persons who are appointed for them, and summoned to attend them?

Yes.

104. Lord Westbury.—The Judicial Committee acts under a statute. In all your experience have you ever known an instance of a member of a Judicial Committee attending that Court when sitting on a cause without having received a previous intimation of a desire that he should attend?

No

105. Earl Stanhope.—What is the exact date of the new decision to which the noble and learned Lord beside me (Lord Westbury) has just referred?

The decision was simply this, that on the hearing of Mr. Bennett's case, which is known as the case of *Sheppard* v. *Bennett*, when I applied to the Lord President and the Chancellor for directions as to who was to be summoned, I received their directions to write a letter to the whole Committee.

106. But the noble and learned Lords referred to a new decision, according to which members were not to be selected for summons, but a general summons was to be issued?

That occurred only in this case of *Sheppard* v *Bennett*, and in no other case that I remember, except the Gorham case.

107. Is that to be considered the rule for the future?

I am unable to say; I shall apply for directions when the time comes.

108. You have not received any general direction, but only a special one?

Precisely so; to make my statement strictly accurate, it should be mentioned that there are on the Judicial Committee about six noblemen who have filled the office of Lord President; there are also four or five members of the Committee who from advanced age and infirmity have long ceased to take any part in judicial proceedings, and it was thought by the Lord President that it would be unbecoming to trouble them with a letter, and therefore they were not written to.

109. Chairman.— I think the judge from whom the appeal lay, was not summoned?

He never is.

PUBLIC COMPANIES.

RAILWAY STOCK.

	Railways.	Paid.	Closing Prices.
Stock	Bristol and Exeter	100	117
Stock	Caledonian	100	108¼
Stock	Glasgow and South-Western	100	123
Stock	Great Eastern Ordinary Stock	100	41¼
Stock	Great Northern	100	136
Stock	Do., A Stock*	100	158½
Stock	Great Southern and Western of Ireland	100	116
Stock	Great Western—Original	100	124½
Stock	Lancashire and Yorkshire	100	153¾
Stock	London, Brighton, and South Coast	100	78¼
Stock	London, Chatham, and Dover	100	24¼
Stock	London and North-Western	100	151½
Stock	London and South Western	100	104¼
Stock	Manchester, Sheffield, and Lincoln	100	85
Stock	Metropolitan	100	71
Stock	Do., District	100	30
Stock	Midland	100	142¾
Stock	North British	100	76¼
Stock	North Eastern	100	165½
Stock	North London	100	119
Stock	North Staffordshire	100	75
Stock	South Devon	100	71
Stock	South-Eastern	100	106½

GOVERNMENT FUNDS.

LAST QUOTATION, Jan. 10, 1873.

3 per Cent. Consols, 92¼	Annuities, April, '85 9¾
Ditto for Account, Feb. 3, 92⅝	Do. (Red Sea T.) Aug. 1908 18½
3 per Cent. Reduced 92¼	Ex Bills, £1000, — per Ct. 2 dis
New 3 per Cent., 92¼	Ditto, £500, Do —2 dis
Do. 3½ per Cent., Jan. '94	Ditto, £100 & £200, —2 dis
Do. 2½ per Cent., Jan. '94	Bank of England Stock, 4½ per Ct. (last half-year) 247
Do. 5 per Cent., Jan. '73	Ditto for Account.
Annuities, Jan. '80—	

MONEY MARKET AND CITY INTELLIGENCE.

On Thursday the directors of the Bank of England reduced the minimum rate of discount to 4½ per cent; the reserve having now increased to close upon 50 per cent of the Bank's liabilities. Money is reported this evening (Friday) to be plentiful, and the rates for first class short bills are 4½ to 4¼. The depression in railway stocks which was the characteristic feature of last week's markets, has continued to some extent throughout the present week. There have been slight and somewhat irregular advances in some of the stocks, and some improvement in the Southern lines was occasioned by the announcement of the South Eastern dividend at the rate of 6½ per cent, but on the whole the tendency of the market appears to be downwards, the apprehension being apparently entertained of serious and long continued strikes. This evening the markets are dull and the tendency is towards a fall in prices. In the market for foreign securities prices have been fairly sustained, especially among the better class of investment stocks. Spanish stocks have been pressed for sale, and have had a serious fall, the old stock going down to the lowest point it has reached for four years. They have, however, somewhat improved, but by the latest amounts are ¼ lower. A noticeable feature in the foreign market has been the rise in French securities in consequence of the news of the death of the Ex-Emperor—an event which is supposed to strengthen the position of the present Government.

The London and River Plate Bank (Limited), are authorised to receive subscriptions for £1,200,000 Seven per Cent. First Mortgage Bonds of £100 each of the Uruguay Central and Hygueritas Railway Company of Montevideo (Limited), secured by first mortgage on the Government guarantee for forty years (within which period the bonds will be redeemed at par by the operation of a sinking fund), and of the 146 miles of railway, as made from Santa Lucia to Hygueritas. Subscribers will receive, in addition, upon the delivery of each definitive bond, a fully paid-up £20 share, by way of bonus, out of the £300,000 of ordinary share capital, which is entitled to dividend after payment of the interest and sinking fund on the bonds, and the interest on the preference shares. The bonds are the first mortgage capital of the Uruguay Central and Hygueritas Railway Company of Montevideo (Limited), and will bear interest at the rate of seven per cent. per annum, from the 1st of January, 1873, payable half-yearly on the 30th of June and 31st of December. The price of issue is £85 per bond of £100. At this price, after reckoning discount for prepayment, the cost is reduced to about 83¾ per cent. net, which will give the subscribers a return of upwards of £8 5s. per cent. per annum, exclusive of the value of the sinking fund. Messrs. Waring, Brothers, are the contractors. The bonds are quoted at 1 to 1¼ prem.

Messrs. Grant, Brothers & Co. are authorised by the Northern Extension Railways Company, with the concurrence of the Northern Railway Company of Canada, the lessees of the lines, to offer for public subscription £129,500 First Mortgage Bonds, in 1,295 Bonds of £100 sterling each, of the Northern Extension Railways Company, numbered 1 to 1,295 inclusive. The bonds bear interest at £6 per cent. per annum, payable by coupons attached, half-yearly, on the 1st January and 1st July in each year, in London. The due payment of the interest for the whole term of the bonds, namely—to 1st July, 1893, is guaranteed by the Northern Railway Company of Canada. The Bonds are redeemable on 1st July, 1893, at par, or £100 sterling per bond, payable in London or in Toronto. Subscribers will be entitled to interest on the bonds from 1st January, 1873. The price of subscription is £93 per £100 Bond, the option being reserved to subscribers of prepaying the instalments under discount at the rate of 6 per

cent. per annum. The authorised lines of the Northern Extension Railways Company, incorporated by Act 25 Vict. c. 32, of the Ontario Legislature, join and are a continuation of the Northern Railway of Canada, and extend from Collingwood to Owen Sound, and from Barrie to the Georgian Bay, about 109 miles in length. The Bonds are quoted at 1½ to 2 prem.

COURT PAPERS.

COURT OF CHANCERY.

CAUSE LIST.

Sittings before Hilary Term, 1873.

Before the LORD CHANCELLOR and LORDS JUSTICES.

Appeals.

1872.

Murchison v Southgate R.—July 9 (S. O.)
Harrison v Harrison pt hd
In re The Harmony and Montague Tin, &c., Mining Co (Limited), and Company's Act, 1862 Appl pet from the Vice-Warden of the Stannaries of Cornwall
Vane v Vane Appl of Sir H. R. Vane and Wife (V C M.—Nov 27) pt hd
Vane v Vane Appl of Dame Diana O. Vane and others (V C M.—Nov 27) pt hd
Walker v Beckley V C M.—Dec 10
Hall v Hall, Hall v Hall V C W.—Dec 13
Williams v Poole V C B.—Dec 23
Giacometti v Prodgers V C M—Dec 23

1873.

Ball v Ray M R—Jan 1

Before the MASTER OF THE ROLLS.

Causes set down previous to transfer.

Thompson v Hudson f c
Hay v Bates c, with wits (day to be fixed)
Miller v Miller m d wits. before examiner (V.C.W.)
Clowes v Hogg c, wits—(V.C.M.) day to be fixed
Wood v Wood m d
Ellis v Woodbury f c (heard 29 July) restored by order

Remaining Causes transferred from the Books of Vice-Chancellors Sir RICHARD MALINS *and* Sir JOHN WICKENS, *by order dated 29th July*, 1872.

Moulden v Blackburn Cause V.C.W. 27 April
Raishley v Swyer m f d—V C W April 30
Cadett v Earle m f d V.C.W. 1 May (S. O.)
Lumley v Timms cause V.C.M. 2 May
Walker v Walker m f d V.C.M. 6 May
Henshall v Fereday m f d V.C.M 7 May
Stephenson v Stephenson m f d V.C.M. 8 May
Croudace v Harle m f d V.C.W. 8 May
Nutting v Thomas cause, witns V.C.W. 8 May, Jan 14
Schroeder v Meiss cause V.C.W. 14 May
Wright v Goodwin m f d V.C.W. 14 May
Hume v Hume m f d V.C.W. 15 May
Midland Ry. Co. v Great Western Ry. Co. m f d V.C.W. 15 May
Union Bank of Manchester, limd. v Clayton cause V.C.W 17 May
Smalley v Underwood cause witn V.C.M. 21 May
Cooper v Cooper m f d V.C.M. 22 May
Hollis v Parker m f d V.C.W. 22 May
Beach v Thornycroft m d V C W—May 22
Swift v Swift m f d V.C.W. 22 May
Baring v Kynaston m f d V.C.W. 23 May
Stevens v Mid Hants Ry. Co. m f d V.C.W. 23 May
Blackman v Cornish m for d V.C.W. 23 May
Williams v Tasker m f d V.C.W. 24 May
Jenner v Cooper m f d V.C.W. 24 May
Richardson v Camp m f d V.C.M. 25 May
Crouch v Thomas m f d V.C.W. 25 May
Cross v Crouch m f d V.C.W. 14 June advanced by order
Prichard v Collette cause, witns V.C.W. 27 May
Collette v Prichard cause, witns V.C.W. 27 May
Russell v Palmer m f d V.C.W. 27 May
Collin v Proust m f d V.C.M. 28 May
Hammond v Adamson m f d V.C.M. 29 May
Newmarch v Harrisson cause, witns V.C.W. 29 May
McGarel v Moon m f d V.C.M. 30 May
Patrick v Gye m f d V.C.M. 31 May witns before examiner
Comley v Bowers m f d V.C.W. 31 May
Hotham v Swithinbank m f d V.C.W. 3 June
Way v Elmer cause V.C.M. 4 June
Brooks, pauper v Webber cause V.C.M. 4 June
Dashwood v Hope m f d V.C.W. 4 June
Henrich v Henshaw m f d V.C.M. 5 June
Fison v Packard m f d V.C.M. June 5
Goatly v Healey m f d V.C.M. 6 June
Masterman v Chapman m f d V.C.M. 6 June
Ingoldby v Riley m f d V.C.M. 7 June
Hay v Huggins m f d V.C.M. 8 June
Riley v Mallard m f d V.C.M. 10 June
Milward v Redditch Local Board of Health m f d V.C.M. 10 June
Dobree v Waters m f d V.C.W. 10 June
Smith v Matthews cause V.C.M. 13 June
Cates v Cluzet cause V.C.M. 17 June

End of Transfer.

Causes set down since transfer.

Cooper v Witham c, with wits (day to be fixed)
Burton v Gray c, with wits (day to be fixed)
Bower v Hague m d
Dallas v Walls m d
Penaluna v Edwards f c
Woolmer v Hirtzell f c
Capper v Dunley c
Lea v Grime, Rigby v Rigby f c
Payne v Rigg f c
Ayre v Ayre m d
Delves v Cripps m d
Porter v Porter f c
Steadman v Hunt m d
Nichols v Hill f c
Langlands v Stone f c
In re Webbs' Estates, & Webb v Jones f c, & sums to vary
Tanner v Holman m d
Eagles v Le Breton f c
Moet v Stein c (s)
Haywood v Reese f c
Whitbourn v Wye m d
Smith v Mogford m d
Elmer v Elmer f c
In re John Clark's Estate, & Clark v Clark f c
Steele v Mullins m d
Earle v La Croisade m d (S. O.)
Bergman v Mote m d
Shorland v Bertram f c
Johnstone v Blake f c
Freebury v Freebury f c
In re C. L. Pragnells Estate, Cleverly v Cleverly. Cleverly v Cleverly f c
Corser v Cartwright m d
Morgan v Griffiths m d
In re Rhodes' Estate, Fraser v Renton f c
Bothamley v Sherson m d
Pate v Rance m d
Harding v Tucker f c
Radclyffe v Radclyffe m d
Rapley v Walmsley f c
Fenton v Fenton f c
Russell v Russell f c
Earl v Groom c
Haigh v Haigh f c
Grove v Grove m d
Grove v Snowden f c
Fowler v Smith m d
Coventry v Buchanan m d
Bird v Grout f c
Gardner v Maffey c
Sutton v Sutton f c
Butler v Butler s c
Inglis v Hill f c (short) & petn
Cockerton v Langmead f c
Ramsden v Jones m
Gilson v Rodick f c
Bell v Nelson m d
Brown v Grey f c
Lawrence v Shipway m d
Charles v Brown m d
Sherratt v Mountford f c
Perfect v Leslie f c

Before the Vice-Chancellor Sir RICHARD MALINS.

Causes, &c.

Keane v Tahiti Cotton & Coffee Plantation Co., limited. demr. of the Tahiti Co. and another
Keane v The same Co. demrs. of the Polynesian Plantation Co. limd. and another
Keane v The Same Co demr of John Buschman
Ramsden v Lister exons for insuffucy
Rokeby v Elliot exons for insuffucy
Kemp v Tucker d
Graham v Slade d
Hunter v Chesshire d of J. Chesshire and another
Hopkin v Ollard d of deft W. L. Ollard
Bell v Holtby d
Joliffe v Hayward d of Richard Hayward
Morley v White exons for insufficiency
Christie v Christie exons for scandal
Ancona v The Law Property Assuaance and Trust Society exons for insufficiency
The Pudsey Coal Gas Co v The Mayor, &c., of Bradford d
Church v Tamvaco m d, with wits (day to be fixed)
Armitage v Armitage case on appl from Yorkshire County Court
Martineau v Mathieu f c & sumns to vary
Rowland v Milton f c
Hale v Stockwell m d, and petition in Morris v Adams. by order
Boyle v Smythe sp c
Goodwin v Bull m d (re-transferred from V.C.B., by order)
City Discount Co. (Limited & reduced) v Cooper c, with wits (retransferred from V.C.B., by order) day to be fixed
Hill v Wilson c, with wits day to be fixed)
Sidney v Sidney c, with wits (day to be fixed)
Williams v Oulton m d wits before examiner
Thomas v Evans c
Smith v Lester m d
Almond v Fry m d
Charlwood v Cornelius c with witns (day to be fixed)
Gregory v Gregory m for d
Davies v Woodward m for d
Mosenthal v Mosenthal sp c
Smith v Buller m d
Hale v Adams f c and 2 sums
Buchanan v Cadell c, with wits (day to be fixed)
British & American Telegraph Co. (Limited) v Colquhoun, Bart. m d, wits before examr
Trade Auxiliary Co. (Limited) v Vickers m d
Wright v Gabriel m d
Stokes v Jennings m d (re-transferred from M R by order
Lewin v Lewin f c
Denny v Morris m d (re-transferred from M R by ord
Smart v Walsh sp c
Smart v Bremner sp c
Bide v Harrison sp c
Ashby v Sedgwick case on appeal from Watford County Court
Maxwell v Maxwell m d
Caldicott v Smith (Satchwell v Smith) m d

Beale v Atchley c
United Land Co, limd., v Great Eastern Ry. Co. m d
Davies v Howells m d
Prescott v Barker sp c
Maynard v Eaton c
Melrose v Mounsey c
Raggett v Findlater m d (not before Jan 20)
Douglas v Shearburn m d
Lloyd v Jones m d
Thomas v Aaron f c
Saunders v Knight-Bruce m d
Wood v White f c
Fray v Jones c
Pidsley v Pidsley c
Hawks v Longridge sp c
Countess of Egremont v Tompson f c
Gent v Williams f c
Hanson v Leighton m d
Sheard v Sheard m d
Harvey v Horry m d
Smith v Truscott m d
Curtis v Bristol Port & Channel Dock Co. m d
Ayerst v Jenkins m d
Godfery v D'Avigdor m d
Jackson v Adams m d
Rutherford v Scott f c
Tickle v Kelsall f c
Pooley v Foster, Bart causes, wits (day to be fixed)
Cope v Evans f c
Hards v King cause, with witnesses (day to be fixed)
Digby v Ward m d
Grover v Foster, Bart f c & sumns to vary
Freke v Lord Carbery m d
Candy v Candy m d (re-transferred from M R by order
The Nowgong Tea Co. of Assam, limd., (by Official Liquidator) v Barry c
Croaker v Standing m d
Newbolt v Wright f c
Simey v Edwards m d
Hunt v Ingledew m d
Moxon v Payne c, with wits, (day to be fixed)
Fortune v Thompson c
Beckerley v Beckerley m d
Innes v Mathias m d
Wilts & Berks Canal Navigation Co., v Swindon Water Works Co limited m
Talbot v Bentley f c
Francis v Wade f c
Burgess v Bennett m d
Fane v Fane c
Boatwright v Boatwright c
Alexander v Gage f c
Perren v Russell m d
Rickards v Arabin f c and sumns
Marler v Tommas m d
Chambers v Saffery m d
Scott v Laver m d
Lewis v Musgrove m d
Hamilton v Nott c
Neal v Pearce m d
Power v Williams m d
Trethewy v Helyar m d
Hadwen v Kenworthy m d
Thomas v Thomas m d
Chambers v Chambers m d
Foll v Langley case on appeal from Glamorganshire County Court
Crawford v Higgs f c
Retallick v Huxham c
Cameron v Leyland c
Watson v Wilson m d
Salmon v Brooks c with wits (day to be fixed)
Wood v Wood m d
Rowlandson v Mercer m d
Murrell v Perryman c with witns, (day to be fixed)
Chamberlain v Terrell m d
The Comptoir D'Escompte de Paris v The Consolidated Bank (limd) c
Sidney v Sidney m d
Forbes v Wood f c
Gibson v Woodruff c
Johnston v Green m d
Thomas v Swansea Public Hall Company m d
Mayor, &c., of Hastings v Ivall c
Izod v Power m d
Manley v Martin m d
Ongley v Hill m d
Emson v Saffron Walden Railway Company f c
Greenwood v Blackburn f c
Clarke v Clarke m d
Hawkins v Jennings case on appeal from Lambeth County Court.
Saunders v Marchant m d
Somes v Renton m d
Hill v Fry m d
Hayne v Hayne m d
Graesser v Crowther c
Blakey v Rusworth sp c
Harrop v Harrop f c

Before the Vice-Chancellor SIR JAMES BACON.

Causes, &c.

Noble v Willock m d p h
Smith v Gardener m f d V. C. M.)14 Jan)
Gardener v Smith c witness V.C.M.
London and North Western Railway Comyany v Greenbank Alkali Company (lim) m d (S. O.) by consent
Jakeman v Warner f c
Fairbairn v Lay c, wits (Jan 17)
Smith v Lay c, w witns (Jan 17)
Dixon v Dixon m d
Wright v Wright m d
Norris v Frazer c
Ash v Ash m d
Young v Maling m d
Brown v Black m d
Armit v Hipkins f c
Gough v Bage f c
Mirehouse v Mirehouse f c
Jay v Montague f c
Hibbert v Hibbert f c and sumns to vary
Hill v Burdett m d
Benn v Benn f c
Wheeler v Jones f c
Griffin v Coalman m d
Andrew v Andrew m d
Purvis v Abraham f c and sumns to vary
Wilson v Lloyd m d
Williams v Belcham m d
Greenhalgh v Rumney (3 causes) f c and sumns to vary (after term)
Harvey v Wright m d
Bird v Harris f c
Parker v Pocock m d
Smith v Adlard c
Apps v Barclay c, with wits (day to be fixed)
Hubbard v Alexander c
Earl of Jersey v Briton Ferry Floating Dock Co f c
In re Kendall, Sinkinson v Kendall f c
Bigg v The Mayor, &c., of London f c and sumns to vary
James v Jones f c and sumns to vary
Commercial Union Assurance Co. v Uzielli m f d
Haldane v Eckford f c
Murray v Stanger f c
Williams v Financial Corpn limited c, with wits (day to be fixed)
Packman v Wells m f d
Basham v Hutchinson c (not before 25th Feb., by order)
Jevons v Longrigg m d
Smithe v Granville f c
In re Roffey's Estate, & Roffey v Early f c
Attorney-General v Castleford Local Board of Health m d
Attorney-General v Whitwood Local Board of Health
In re Reynolds' Estate, Reynolds v Reynolds f c
Crowther v Bradney f c
Heath v Crealock c
Simpson v Peach m d
Brownjohn v Gale f c
Turner v White m d
Cleve v Financial Corporation (limd) c
Keily v Andrews m d
Philips v Taylor c
Glencoss v Burt f c
Graham v Cole f c
McClean v Kennard m d

Before the Vice-Chancellor WICKENS.

Causes, &c.

Ross v Parkyns Bart, exons for insufficiency
Myers v Nixon exors to ansr
Taylor v Taylor c, wit before special exmr
Moorish v Keele m d
Inglis v Pasco c
Binney v Feldtmann m d
Palmer v Hackney District Board of Works m d
Pickles v Pickles m d
Cavender v Bulteel m d
Bullocke v Bullocke m d wits before examnr
Pigott v Pigott m d
Eyre v Holmes m d
Gee v Mahood c
Bruff v Cobbold rehearing of m d
Bass v Adams f c & sums
Ditchfield v Diggle c
Maitre v Stead trial before the Court without a jury
Synge v Synge sp c
Wescome v Morris sp c
Crozier v Crozier sp c
London, Bombay, and Mediterranean Bank (lim) v Indian Peninsular, London and China Bank (lim) m d
Blandford v De Castro m d
Shaw v Addis c
Barton v Barton m d
Laurie, R. P. O. of Union Bank of London v Binns m d
Corbet, Bart. v Humphrys m d
McKechnie v Vaughan m d
Poole v Heron sp c
Brown v Wrighton c
Fletcher v Harrison m d
Skato v Dunster f c and sumns.
Aston v Round m d
Hedger v Hedger m d
Blake v Revell m d
Phipps v Lovegrove m d
White v Simmons c
Bousquet, pauper v Bent c
James v James m d
Whitham v Dixon m d
Hicks v Lang m d
Leith v Bruyeres sp c
Minton v Minton sp c
Waterer v Waterer f c
Jones v Williams m d
Essex v Wilkinson, Cerrito v Wilkinson c
Beeley v Beeley m d
Hedger v Hedger m d
Jackson v Rogerson m d
Read v Strangwayes m d
Alexander v Palmer f c
Needham Viscount Newry v Simmons m d
Whiterow v Whiterow m d
Thompson v Bannister m d
Walford v Tarrant c
Stanbrough v Fraser m d
Halfhide v Robinson re-hearing of cause
Frinneby v Martineau, Sanders v Martineau f c and sumns
Taunton v Thorold m d
Digby v Turner m d
Pounder v Gibson c
Boyle, pauper v Trounce c
Knowles v Robinson m d
Bradley v Bradley m d
Alleyne v Hussey m d
Darsie v Mozley c
Dudley v Tanner m d
Rosser v Rhys m d
Sheffield v Eden m d
Gilliat v Gilliat m d
Bailey v Barlow c
Griesiell v Jackson f c
Fawcett v Sheard f c
Hartley v Mansell f c
Bowen v Woodward m d
Smyth v Marshall m d
Madams v Heath m d
Jephs v Knight m d
Cundall v Procter f c
Preston v Leeson m d
Wordsworth v Crawshaw f c
Lake v Wall f c
Griffiths v Bedborough f c
Webber v Webber f c
The Neath & Brecon Ry Co. v Maund m d
Goodacre v Goodacre f c
Phillips v Richards m d
Laurie v Sewell m d
Woof v Barron m d
Sankey v Breton m d
Wetherell v Todd f c
Morley v Bailey m d
City of London Brewery Co. (lim) v Tennant m d
Cottrell v Cottrell m d wits before examnr
Cooper v Cohen c witns
Shoesmith v Byerley m d
Thomson v Shaw m d
Riley v Ormerod m d
Riley v Ormerod m d
Lyall v Fluker m d
The Co. of Proprietors of the Somersetshire Coal Canal Navagation v The Bristol and North Somerset Ry. Co. c
Chamberlain v Napier f c
Turner v Herrman m d
Gibbs v Needham m d
Baynes v Baynes m d
Elsmere v Gaven m d
Caley v Caley m d
Rowed v Saunders m d
Wilson v Johnstone c
Meek, Knight v Clarkson m d
Sheffield v Gray c
Clark v Potts f c
Arnold v Jarvis m d
Watts v Watts f c
Attorney-General v The Mayor Alderman & Burgesses of the Borough of Barksley m d
Littledale v Bickersteth m d
Arnold v Young m d
Wilkinson v Elster m d
Turner v Turner m d
Williams v Lucas m d
Newbald v Hale c
Blackstock v Blackstock, Ashman v Blackstock f c
Davies v Eggar m d

Lewthwaite v Lewthwaite m d
Evans v Blumberg f c
Wilson v Coffin c
Sugg v Foster m d
Lees v Sunderland f c
Waring v Scamp c
Groom v Savery m d
Griffiths v Oakley f c
Camps v Marshall m d s (S. O.)
Kerridge v Kerridge f c
Thornhill v Cooper f c
Corner v Cursham f c.
Hennet v The Tewkesbury and Malvern Ry Co f c
Marshall v Redford m d
Murton v Bigham m d
Llewhellin v Philp m d
Llewhellin v Miller m d
Puddicombe v Sparks m d
Wagstaff v Kemp m d
Penney v Penney f c
Wilkinson v Wilkinson m d
Bradfield v Scriven m d
Deas v Kyle m d
Green v Johnson f c
Bergh v Mason f c
Ackers v Ackers f c
Pritchard v Roberts m d (s)
Enfield v Roscoe m d
Paterson v Dallas m d (s)
Fraser v Dallas m d (s)
Clarke v Allison m d
Leese v Martin m d wits before examiner
Dent v Hoye m d
Hill v Hill m d
Wodehouse v Cox m d
Jacubs v Rylance f c
Winstone v Halksworth f c
Burton v Maw c
Mapleson v Bentham m d
Fennings v Pain m d
Coultwas v Swan f c
Parfrey v Hitchings m d
Hetherington v Tennant m d
Boucher v Deane f c
Rowe v Rowe m d
White v Matthews m d
White v Latter m d
Millidge v Guy f c

Mr. Edwin James.—Mr. Edwin James has presented to the Common Law Judges a petition, in which he prays them to appoint a day for hearing him either in person or by counsel, in support of his application for the reversal of the order of the Benchers of the Inner Temple, which now precludes him from the practice of his profession in this country. He submits, according to the *Morning Post*, "that the said order of the benchers, dated the 18th July, 1861, is not just andequitable, and cannot be supported, and ought to be reversed for the following, amongst other reasons. 1. Because no charge or accusation was ever made or preferred before the said benchers against your petitioner. 2. Because there was no sufficient evidence adduced before the said benchers of any misconduct, professional or otherwise, sufficient to support such order. 3. Because the benchers constituted themselves both accusers and judges throughout the whole proceedings. 4. Because the benchers, at the conclusion of the proceedings, refused to allow your petitioner's counsel a reasonable time to address them on his behalf. 5. Because the order is invalid and unjust, and does not properly inform your petitioner upon what charge or charges of misconduct he has been disbarred. 6. Because the decision pronounced by the benchers was hasty, and not considered with due justice to your petitioner. 7. Because your petitioner was never afforded the opportunity of explaining or rebutting a large amount of the testimony which the benchers brought against him. 8. Because, upon the inquiry, the benchers allowed irrelevant and hearsay evidence to be given. 9. Because the inquiry was conducted by the benchers themselves in an unjust, unfair, and inquisitorial manner; that private transactions of your petitioner, not within the proper jurisdiction and cognisance of the benchers, were inquired into; that charges and insinuations were made by the benchers, who afterwards acted as judges, against your petitioner, which had no foundation, and which unjustly and unfairly prejudiced the benchers, and the majority of them, against your petitioner."

How Laws are made now-a-days.—At the Quarter Sessions for the County of Bucks the Duke of Buckingham, after remarking that the Parish Constables Act of 1872 did not receive any great consideration from Parliament, and that it was introduced and passed through both Houses "in some secret way, he supposed very late at night," went on to say that it reached the stage of committee in the House of Lords on a day when he happened to return from abroad. The Act appeared to him so objectionable that the next morning he went to a member of the Government, and told him that unless it was amended in the way he (the Duke) pointed out, "it would not carry out the intentions of any person." At the same time, with the view of improving it, he left fifteen amendments with this "member of the Government," from whom he received on the following day a note expressing a hope that as it was late in the session, his Grace would not interpose any opposition, and conveying to him the gratifying intelligence that the whole of his fifteen amendments had been inserted in the Act. When the Act left the House of Commons it was, he said, so drawn that it was proposed to enact that any meeting of the inhabitants, of whatever character, should be a vestry meeting, so that a meeting held under a tree in Hyde Park would be a vestry of the inhabitants of St. George's. He mentioned these facts to show that the Act did not receive much attention, and that it was necessary to proceed cautiously in dealing with it.

An Illustration of the Working of Tribunals of Commerce.—A suit of some importance, arising out of the increased sugar duties, which has been decided on an appeal at the Civil Court, is an example of the frequent contradictions between the judgments of the Tribunals of Commerce and the ordinary legislation. In this instance the two verdicts are remarkable; from the first Court, composed entirely of traders, basing their verdict on the strict terms of the contract independently of the evident intention of the parties, while the law judges took a broader view, and decided in accordance with the spirit rather than the letter of the agreement. MM. Peleciers, of Besancon, purchased on the 13th and 14th June, 1871, of MM. Jeanty and Prevot 30,000 loaves of sugar for delivery in July and August, accepting the stipulation that any increase of duty should be at the charge of the buyer. The duty was increased on the 11th July, and as the first deliveries were made on the 13th and 15th of the same month, the seller clmined to increase the price to the amount of the new duty. The buyers resisted that pretention, on the ground that as the raw material had been cleared from the bonding warehouses before the promulgation of the law and under the old duty, they were not liable. The Tribunal of Commerce decided that the buyer must pay the amount of the additional duty, even should it form an increased profit for the sellers, as if the former had intended to bear the charge only in the case of MM. Jeanty and Prevot having to pay the increased duty, they should not have expressed themselves in terms which admitted of a different construction. The Civil Court, on the other hand, held that if the intention of the seller was to obtain the profit of the enhanced value given to the refined sugar by the increase of duty on the raw material, the wording of the contract was insufficient to instruct the buyers,and as by Art.1, 602 of the Civil Code, "the seller is bound to explain clearly his obligations, and everyobscure or ambiguous compact is to be interpreted against him," the Court quashed the former judgment.—*Economist.*

The Supreme Court of the United States.—An American contemporary gives the following particulars with reference to the judges now sitting in the Supreme Court of the United States :—

Name.	State.	Age.	Appt'd.
S. P. Chase	Ohio	63	1862
Nathan Clifford	Maine	67	1858
N. H. Swayne	Ohio	61	1862
David Davis	Illinois	56	1862
Sam. F. Miller	Iowa	55	1862
Stephen J. Field	California	54	1863
Joseph P. Bradley	New Jersey	58	1870
Wm. Strong	Pennsylvania	62	1870
Ward Hunt	New York	62	1872

A Block in the United States Supreme Court.—A report comes from Washington, that a bill will be introduced at the next session of Congress designed to relieve the Supreme Court from its over pressure of business. It is proposed to create an intermediate court to decide appeals not involving any new questions of law. There is an absolute necessity for some remedy for the delay now inevitable in that Court, and for the rapid increase of the appeals brought before it. The Court has, for many years past, been about two years behind its docket, and it takes an average time of three years from the rendering of the judgment below to get the final determination of the appeal. This is in no sense the fault of the Court. The increase in the Admiralty jurisdiction, the bankrupt law, the internal revenue law, the increase of litigation growing out of our increased wealth and population, and the many questions growing out of the rebellion, have all contributed to largely augment the business brought up for adjudication.—*Albany Law Journal.*

Medical Witnesses on Insanity.—The duty and responsibility of an expert on questions of insanity is very important to the community, and should perhaps be more thoughtfully regarded by the medical profession and the

general public. Physicans are mostly inclined to excuse many wrong acts of individuals on grounds of disease. In their arguments against the present mode of the trial they claim that many persons are now convicted of crime when they should only be treated for disease. Juries are inclined in a too great degree, perhaps, to take the opinion of a physican of good reputation and standing as to the insanity of an individual (and none will be called for the accused unless he will so testify). This is hard to overcome by contrary testimony of experts, even if it can be obtained at all on behalf of the State, and if there is any doubt in the minds of the jury, they legally (?) give the accused the benefit of the doubt—thus practically refusing to decide "when doctors disagree." There is no question that arises in the administration of the law where expert testimony may be less necessary, and where it should be less controlling on the jury, and where the common observation and experience of men should prevail over all theory, as in cases of alleged insanity.—"*Juries and Physicians on Insanity*" *by R. S. Guernsey of the New York Bar.*

PLAIN SPEAKING. — Chicago lawyers ought to be careful to keep on good terms with their legal organ. Here are two editorial notes which we take from a recent issue of the journal in question :—"John W. Ross, formerly of the Lewistown, Ill. bar, and favourably known as a member of our late Legislature, has removed to Washington, D.C., and is there engaged in the practice of his profession, at 515, Seventh-street., N. W. Our readers having legal business which they wish done at Washington, will find in Mr. Ross a faithful lawyer and an agreeable gentleman." "Newell Pratt, one of the divorce attorneys of this city, died this week. It was liquor killed him."

There was a little sensation in a dull session of the Superior Court of Pittsfield the other day, when a lawyer, in presenting his case to the jury, said: "Gentlemen, my client has been accused of stealing watermelons; the dispute between the parties in this case began with an accusation of such theft. It was a boyish trick, as you all know, and probably *all of you, gentlemen, have stolen watermelons.*" The Court smiled and frowned, the bar grinned almost out loud, and the jury looked as though whatever they had done they didn't want to be twitted of it, and they promptly brought in a verdict for the other side.—*Chicago Legal News.*

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

DE RICCI—On Jan. 2, at Norwood, Surrey, the wife of James Herman De Ricci, Esq., barrister-at-law, of a son, prematurely.

SLADEN—On Jan. 6, at Heathfield, Reigate, the wife of St. Barbe Sladen, of a son.

MARRIAGES.

BURKE—INGHAM—On Jan. 8, at the Catholic Cathedral, Dublin, James Burke, Esq., A.B., barrister-at-law, of 30, Park-crescent, Stockwell, London, to Jane Georgina, fifth daughter of the late John Stannus Ingham, Esq., solicitor, Lisnamaine, county Cavan, Ireland.

CEARNS—CRAVEN—On Tuesday, Jan. 7, at St. George's Church, Bickley, Edward Paton Cearns, of London, solicitor, to Maria Ashton, daughter of the late John Craven, Esq., of London.

INGRAM—SKINNER—On Nov. 21, at Mussoorie, in the Himalayas, Thomas Lewis Ingram, of the Middle Temple, Esq., barrister-at-law, to Victoria Helen Georgina, only child of the late George Skinner, Esq.

DEATHS.

BEALE—On Dec. 16, at Carlton-road, Peckham, Surrey, Emily, wife of Richard F. W. Beale, Esq., solicitor, Maidstone, aged 22 years.

POWER—On Dec. 30, at Chapel House, Atherstone, Warwickshire, Henry Power, solicitor, aged 71 years.

LONDON GAZETTES.

Winding up of Joint Stock Companies.

FRIDAY, Jan. 3, 1873.

UNLIMITED IN CHANCERY.

Economic Benefit Building Society.—Vice Chancellor Malins, has, by an order, dated Dec 16, appointed John Boyd, 43, Jermyn st, Geo Fredk Anderson, Nottingham pl, Regent's pk, Wm Boyd, Lenton House, Plaistow, Hy Hodges, Portsdown rd, Maida Hill, John Thos Agnew Patrick, Clephane rd, Canonbury, and John Toner, Gray's inn sq, to be the official liquidators. Creditors are required, on or before Feb 3, to send their names and addresses, and the particulars of their debts or claims to the above. Tuesday, Feb 18 at 2, is appointed for hearing and adjudicating upon the debts and claims.

LIMITED IN CHANCERY.

Bolton and Company (Limited.)—Petition for winding up, presented Dec 27, directed to be heard before Vice Chancellor Wickens, on Jan 17. Child, South sq, Gray's inn, solicitor for the petitioner.

Havant and Hayling Docks Coal Company (Limited.)—Petition for winding up, presented Dec 16, directed to be heard before Vice Chancellor Malins, on Jan 17. Watkin, Gray's inn sq, solicitor for the petitioner.

Mineral Hill Silver Mines Company (Limited.)—Petition for winding up, presented Jan 1, directed to be heard before Vice Chancellor Wickens, on Friday, Jan 17. Pulbrook, Threadneedle st, solicitor for the petitioner.

Patent Pulp and Paper Mills Company of Ireland (Limited.)—Petition for winding up, presented Dec 14, directed to be heard before Vice Chancellor Wickens, on Friday, Jan 17. Roberts, Moorgate st, solicitor for the petitioner.

Sewage Disinfecting and Manure Company, Limited, (Hill's System.)—Petition for winding up, presented Dec 31, directed to be heard before Vice Chancellor Malins, on Jan 17. Pope, Gray's inn sq, solicitor for the petitioner.

TUESDAY, JAN. 7, 1873.

LIMITED IN CHANCERY.

Commonwealth, Land, Building, Estate, and Auction Company (Limited.)—Petition for winding up, presented Dec 20, directed to be heard before Vice Chancellor Wickens, on Friday, Jan 17. Shearman, Little Tower st, solicitor for the petitioners.

Builders' Trade Circular Company (Limited.)—Petition for winding up, presented Jan 7, directed to be heard before Vice Chancellor Malins, on Jan 17. Fallows and Whitehead, Lancaster pl, Strand, agents for; Allcock and Milward, Birm, solicitors for the petitioners.

Joseph Peace and Company (Limited.)—Petition for winding up, presented Dec 6, directed to be heard before the Master of the Rolls, on Saturday, Dec 21. Pilgrim and Phillips, Church ct, Lothbury, agents for; Watson and Esam, Sheffield, solicitors for the petitioners.

Creditors under Estates in Chancery.

Last Day of Proof.

TUESDAY, Jan. 7, 1873.

Harris, Hy, Lever st, St. Luke's, Tea Dealer. Jan 20. Lewis v Harris, M.R. Downing, Basinghall st

Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.

TUESDAY, Dec. 31, 1872.

Andrews, Arthur, Shirley Warren, Hants, Coach Builder. Feb 28 Hickman and Son, Southampton

Buxton, Joseph, Primethorpe, Leicester, Butcher. Feb 1. Harris, Leicester

Dawson, Alexander, Old Broad st, Esq. Feb 15. Burn, Gresham st

Fryer, Fredk, Leeds. March 1. Ford and Co, Leeds

Furneaux, Diana Harriet, Plymouth, Devon, Widow. Feb 18. Thompson and Co, Stone bldgs, Lincoln's inn

Furneaux, Wm Stuart, Plymouth, Devon, Major-General. Feb 18. Thompson and Co, Stone bldgs

Masters, Mary, Glynn st, Vauxhall, Spinster, Feb 3. Hooper and Rayness, Biggleswade

FRIDAY, Jan. 3, 1873.

Adams, Thos, Notting Hill crescent, Esq. Feb 1. Young and Co, St Mildred's ct, Poultry

Atkinson, Grace Hanfield Gurley, Highbury Pk, Widow. Feb 15. Hyde and Tandy, Ely pl, Holborn

Deer, John Randall, Cornwall rd, Hammersmith, out of business. Feb 5. Smith and Son, Furnival's inn Holborn

Downing, Nicholas, York, Cab Proprietor. March 1. Belk, Middlesbrough

Eadon, Matilda, York, Widow. March 15. Dale, York

Edmunds, Edmund, Rugby, Warwick, Merchant. Feb 8. Wratislaw, Rugby

Edwards, John, Uppingham, Rutland, Surgeon. Feb 20. Edmunds, Charterhouse sq

Fletcher, Geo, Wolverhampton Stafford, Brushmaker. Feb 1. Underhill, Wolverhampton

Grant, Thos, Chippenham terrace, Harrow rd, Gent. Feb 5. Smith and Son, Furnival's inn, Holborn

Hair, Betsey Emma, Paignton, Devon, Spinster. Feb 5. Francis and Baker, Newton Abbot

Hankey, Wm, Brentwood, Essex, Esq. March 31. Nicholl and Newman, Howard st, Strand

Hirst, Jonathan, Goldcar, Huddersfield, York Gent. Feb. 20. Sykes & Sons, Huddersfield

Hodsdon, Geo, Kensal pl, Kensal green, Gent. Feb 5. Smith and Son, Furnival's inn, Holborn

James, John, Mark lane, Corn Factor. Feb 11. M'Leod and Watney, London st, Fenchurch st

Jessup, John, Eastfield st, Limehouse, Sawyer. Feb 11. Brook, New inn Strand

Jones, Mary, Pontnewydd, Monmouth, Spinster. March 20. Colborne and Ward, Newport

Mason, Jane, Elizabeth st, Eaton sq, Spinster. Feb 1. Robinson, Sunderland

Moss, John, Otterspool, Lancashire, Esq. Feb 1. Garnett and Tarbet, Lpool

Phillipps, Richd Marshall, Manor Lodge, Holloway, Esq. March 1. Surr, and Gribble, Abchurch lane

Pollard, Geo, Rashcliffe, Almondbury, York, Builder. Feb 21. Learoyd and Learoyd, Huddersfield

Sant, Edwd, Pwllcoch, Glamorgan, Gent. April 10. Daltons and Co, Cardiff

Smith, Edmund Chas, York, Gent. March 12. Walker and Langborne, New Malton

Stopford, Lucy, Little Houghton, Northampton. Feb 13. Frere and Co, Lincoln's inn fields

Sturt, Hy, Clapham, Esq. Feb 1. Ashby, Clement's lane, Lombard st
Thompson, John Carby, Inholm, nr Dorking, Surrey, Esq. March 1. Hensman and Nicholson, College hill
Young, Thos, Boyson rd, Camberwell, Vocalist, Feb 15. Sole and Co, Aldermanbury

TUESDAY, Jan. 7, 1873.

Baker, Wm, Camden cottages, Camden Town, Gent. March 1. Fox and Robinson Gresham House, Old Broad st
Baxter, Joseph, Eccleshill, York, Cloth Manufacturer. April 1. Turner, Leeds
Bowdin, Daul, Conniston, Lancashire, Gent. March 1. Robinson, Skipton
Brighouse, Ann, Huddersfield, York, Spinster. March 25. Berry, Huddersfield
Calder, Gilbes, Warbleton, Sussex, Surgeon, Jan 31. Calder, Longton
Carrick, Jas, Sunderland, Durham, Publican. Feb 10. Keenlyside and Foster, Newcastle upon Tyne
Corpland, Thos, Conisbro, York, Esq. Feb 2. Collison and Co, Doncaster
Cubitt, Joseph, Gt George st, Westminster, Civil Engineer. March 1. Bircham and Co, Parliament st, Westminster
Edmonds, Wm, James st, Covent Gdn, Licensed Victualler. Feb 8. Venn, New inn, Strand
Etchells, Wm, Cuttlehurst Hill, High, Hoyland, York, Designer. Jan 24. Sykes, Huddersfield
Filipowski, Herschell, Holland rd, Brixton, Gent. Feb 10. Hubbard, Long lane, West Smithfield
Finley, Robt, Windsor cottages, Lower Norwood, Gent. Feb 5. Murr, Bush lane
Keen, Sarah, Reading, Berks, Widow. March 1. Few, Henrietta st, Covent gdn
Kinder, John, Warrington, Lancashire, Ironmonger, March 25. Marsh and Co, Warrington
King, Chas, Long Burton, Dorset, Clerk in Holy Orders. Feb 15. Plumbe, Winchcombe
Medland, Wm, St Neots, Huntingdon, Esq. March 31. Palmer and Co, Trafalgar sq, Charing cross
Myers, Wm Baines, Leeds, Plumber. Feb 10. Gray, Leeds
Philips, Edmond Palmer, Mutley, nr Plymouth, Devon. Feb 6. Fridham and Co, Plymouth
Porritt, Jonas Milne, Chasewood, nr Rochdale, Lancashire, Woollen Manufacturer. March 6. Hinde and Co, Manch
Railey, Chas Augustus, Calcutta, East Indies, Gent. July 1. Robertson, Crown Office row, Temple
Rusbridge, Joseph. Addison terrace, Kensington, Esq. Feb 1. Murray and Hutchins, Birchin lane
Searle, John, Penryn, Cornwall, Gent. Feb 22. Jenkins, Penryn
Storey, Wm, Leeds, Metal Broker. Feb 10. Gray, Leeds
Sutcliffe, John, Rochester, Stafford, Baptist Minister. April 2. Flint, Uttoxeter

Bankrupts.

FRIDAY, Jan. 3, 1873.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in London.

Parkerson, Robt Hy, and Fredk Vincent Ellis, Hamsel st, Cripplegate, Mantle Manufacturers. Pet Dec 30. Roche. Jan 23 at 11.30
Shalders, Frank, and Edwd Alex Boys, Lime st, Flag Makers. Pet Jan 1. Hazlitt. Jan 17 at 1

To Surrender in the Country.

Brooke, Isaac. Chickenley, York, Woollen Manufacturer. Pet Dec 31. Nelson. Dewsbury, Jan 23 at 3
Burns, Jas Wm, Manch, Coach Builder. Pet Dec 31. Kay. Manch, Jan 23 at 9.30

TUESDAY, Jan. 7, 1873.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in the Country.

Broomhall, John, Birm, Druggist. Pet Dec 31. Chauntler. Birm, Jan 20 at 2
Chichester, John Chichester Burnard, Neenton, Salop, Clerk in Holy Orders. Pet Jan 3. Potts. Madeley, Jan 21 at 11.30
Higginson, Thos, Preston, Lancashire, Commission Agent. Pet Jan 4. Myres. Preston, Jan 25 at 11
Rolleston, Septimus, St Minver, Cornwall, Clerk. Pet Jan 4. Chilcott. Truro, Jan 18 at 11
Wilson, Wm, Lindley, York, Innkeeper. Pet Jan 3. Jones, jun. Huddersfield, Jan 23 at 11

BANKRUPTCIES ANNULLED.

FRIDAY, Jan. 3, 1873.

Lock, Geo, and Tom Hadwen, St James's st, Pall Mall, Booksellers. Dec 27

Liquidation by Arrangement.

FIRST MEETINGS OF CREDITORS.

FRIDAY, Jan. 3, 1873.

Amery, Mark, Wells st, Oxford st, Carver. Jan 23 at 3, at offices of Lewis and Lewis, Holborn
Armstrong, Dinah, Carlisle, Cumberland, Milliner. Jan 15 at 12, at offices of McAlpin, Devonshire st, Carlisle
Ashworth, John, jun, Manch, Commission Agent. Jan 22 at 4, at office of Addleshaw, King st, Manch
Attwood, Jas, Bretteil lane, Stafford, Journeyman Maltster. Jan 20 at 11, at offices of Rogers and Jordan, High st, Stourbridge
Barrett, Edwd, Hindley, Lancashire, Tailor. Jan 13 at 2, at offices of Cunliffe and Watson, Winckley st, Preston
Beardall, John, Hanway st, Oxford st, Licensed Victualler. Jan 18 at 1, at office of Wright and Nicholl's, Gt Portland st
Brind, Thos, Theale, Berks, Stationer. Jan 16 at 11, at office of Beard, Basinghall st
Cannon, Edwd Wm, Minories, Auctioneer. Jan 27 at 2, at offices of Beard, Basinghall st
Catt, Hy, Lewisham, Kent, Wine Merchant. Jan 23 at 3, at offices of Ladbury and Co, Cheapside. Perrin, King st, Cheapside
Claxton, John Joseph, Leyton, Essex, Grocer. Jan 17 at 3, at offices of Wragg, Gt St Helen's
Cunliffe, John, Rochdale, Lancashire, Woolstapler. Jan 14 at 11.30, at the Wheatsheaf Hotel, Fennel st, Manch. Standring, Rochdale
Dolman, Edmund, Packington st, Islington, Fall Manufacturer. Jan 20 at 2, at offices of Foreman and Cooper, Gresham st
Duffell, Wm, Gt Yarmouth, Norfolk, Fruiterer. Jan 21 at 12, at office of Blake, Hall Quay chambers, Gt Yarmouth
Duxbury, Ezra, and William Hadcroft, Blackburn, Cotton Manufacturers. Jan 15 at 11, at offices of Radcliffe, Clayton st Blakburn
Earp, William Richd, Tunstall, Stafford, Chemical Manure Manufacturer Jan 18 at 12, at the Cheshire Cheese Inn, Tunstall. Barrell and Rodway, Lpool
Edkins, Robt, Chester, Publican. Jan 16 at 2, at offices of Nordon, Coos st, Lpool
Edwards, Fredk, Southampton, Tea Dealer. Jan 6 at 2, at the Guildhall Coffee house, Gresham st. Deacon, Southampton
Frampton, Hy, Fernham, Berks, Farmer. Jan 16 at 1, at the Volunteer Hotel, Wantage rd Station, Wantage. Jotcham, Wantage
Franks, Geo, and Hy Franks, Harrogate, York, Grocers. Jan 16 at 11, 30, at offices of Hirst and Capes, James st, Harrogate
Funnell, Chas, Sam's green, Ilford, Essex, Window Blind Maker. Jan 20 at 11, at offices of Warrond, Ludgate hill
Furness, Geo, Batley Carr, Dewsbury, York, Brass Founder. Jan 15 at 11, at offices of Shaw, Bond st, Dewsbury
Gozzard, Edwd, Ashton, nr Birm, Beersell. Jan 15 at 12, at offices of Assinder, Union st, Birm
Handcock, Mary, Coldridge, Devon, Innkeeper. Jan 17 at 11, at offices of Andrew, Bedford circus, Exeter
Harrison, Lucy, Fulham rd, Fancy Draper. Jan 20 at 2, at offices of Blachford and Riches, Gt Swan alley, Moorgate st
Hughes, John, Warrington, Lancashire, Throstle Overlooker. Jan 13 at 3, at offices of Bretherton, Upper Bank st, Warrington
Hunt, Geo, Earl st yd, Edgeware rd, Cab Proprietor. Jan 16 at 3, at offices of Carter and Bell, Leadenhall st
Hunt, Ralph, Lorrimore st, Walworth, Clerk. Jan 21 at 2, at the Guildhall Tavern, Gresham st. Nind, St Benet pl, Gracechurch st
Husband, Antony, Rotheram, York, Shopkeeper. Jan 16 at 3, at the Crown Hotel, Rotheram. Rhodes
Ireland, Richd Joseph, Plaistow, Essex, Farmer. Jan 18 at 1, at office of Bastard, Brabant ct
Jones, John, Four Crosses, Festiniog, Merioneth, Builder. Jan 14 at 12, at the Commercial Hotel, Portmadoc. Roberts, Four Crosses, Festiniog
Kitchen, Geo, Duke st, Bloomsbury, Dairyman. Jan 27 at 2, at offices of Wright and Nicoll, Gt Portland st
Lloyd, John, Llangolen, Denbigh, Cattle Dealer. Jan 16 at 10.30, at offices of Sherratt, Brynyffynon Lodge, Regent st, Wrexham
Loder, Chas, Clifden rd, Clapton, Commission Traveller. Jan 27 at 3, at offices of Holloway, Ball's Pond rd, Islington. Heathfield, Lincoln's inn fields
Lucas, John, Heywood, Lancashire, Saddler. Jan 17 at 3, at the Commercial Hotel, Brown st
Manchee, Nathaniel, Approach rd, Victoria Pk, Trimming Manufacturer. Jan 16 at 3, at 33, Gutter lane. Ashurst and Co
Marrable, Edwd Wm, Epping, Essex, Builder. Jan 20 at 12, at offices of Balden, Southampton bldgs, Chancery lane
Marling, Wm, Worcester, Hatter. Jan 16 at 12, at offices of Meredith, College st, Worcester
Marrison, Wm, Jas Marrison, and Thos Marrison, Halifax, York, Builders. Jan 14 at 3, at offices of Leeming, George st, Halifax
Meadows, John, Old, Northampton, Carrier. Jan 20 at 3, at the Inn, Chequers Old, nr Buxworth. Tasman, Adam st, Adelphi
Naden, Frederic, Benet's pl, Gracechurch st, Wine Merchant. Jan 16 at 2, at the Guildhall Coffee house, Gresham st. Moojen, Southampton st, Bloomsbury
Naylor, Robt, Bradford, nr Manch, Bricklayer. Jan 21 at 3, at offices of Storer, Fountain st, Manch
Nightingale, Jas, Barnet, Hertford, Baker. Jan 10 at 11, at offices of Harris, White House, Hadley, Barnet
Nind, John, Beech st, Barbican, Painter, Jan 30 at 4, at office of Lewis and Co, Old Jewry
Nye, Mary, and Hy Nye, Brighton, Sussex, Furniture, Dealers. Jan 18 at 11, at 2, Suffolk lane, Cannon st. Stuckey, Brighton
Oglethorpe, John, Preston, Lancashire, Butcher. Jan 16 at 2, at office of Edelston, Winckley st, Preston
Pedlingham, Saml, Ledbury, Hereford, Brewer. Jan 17 at 11, at offices of Piper, Court House, Ledbury
Potter, Fredk, and Arthur Potter, Kentish Town rd, Clothier. Jan 15 at 2, at office of Buchanan, Basinghall st
Powell, Geo, Perry Barr, nr Birm, Carpenter. Jan 24 at 11, at offices of Simmons, High st, Birm
Rooker, Geo, Birm, out of business. Jan 16 at 3, at offices of Brown, Waterloo st, Birm
Samuels, Chas Jas, and Wm Samuels, Manch, Merchant. Jan 17 at 3 the Clarence Hotel, Spring gdns, Manch. Rowley and Co, Manch
Samuels, Hy, Sunderland, Durham, Jeweller. Jan 20 at 12, at office of Wright, John st, Sunderland
Stone, Thos Wm, Portsea, Hants, Outfitter. Jan 14 at 11, at offices of Walker, Union st, Portsea
Stow, Saml Nunn, Stoke Newington rd, Schoolmaster. Jan 22 at 2, at offices of Barrett, Bell yd, Doctors' commons
Sturman, Thos, Feltham, Middlesex, Grocer. Jan 17 at 2, at offices of Hartill, Bishopsgate st, Without
Tettenborn, Baron Ernest de Gleichen, otherwise Ernest de Laney, Lowestoft, Suffolk, out of business. Jan 16 (instead of the 18th) at 11, at the Suffolk Hotel, Lowestoft. Digby and Son, Maldon
Trickey, John, Jones st, Berkeley sq, Butcher. Jan 16 at 2, at offices of Paddison and Son, Lincoln's inn fields
Verey, Felix Hy, Southsea, Hants, Poulterer. Jan 15 at 11, at office of Wainscot, Union st, Portsea
Warren, Wm, Norwich, Boot Manufacturer. Jan 17 at 2, at offices of Tillett and Co, St Andrew st
Wilkinson, Jas, and Isaac Wilkinson, Elland cum Greetland, York, Woollen Manufacturer. Jan 17 at 12.30, at the Wheat Sheaf Hotel, Fennel st, Manch. Wavell and Co, Halifax

Wilson, Jas. Scawby-cum-Sturton, Lincoln, Land Steward. Jan 17 at 11, at the Stag and Pheasant Hotel, Leicester. Torry, Hull
Wood, Benjamin Jesse, Ruckland Rectory, Lincoln. Clerk in Holy Orders. Jan 21 at 2, at offices of Blackenbury, Alford
Young, Wm Alexander Thomson, Middlesbrough, York, Surgeon. Jan 13 at 2, at offices of Dobson, Goford st, Middlesborough

£1,200,000 Seven per Cent. First Mortgage Bonds of £100 each.

URUGUAY CENTRAL & HYGUERITAS RAILWAY COMPANY OF MONTEVIDEO (LIMITED).

Secured by a first Mortgage on the Government guarantee for 40 years (within which period the Bonds will be redeemed at par by the operation of a Sinking Fund), and of the 146 miles of railway, as made, from Santa Lucia to Hygueritas.

Subscribers will receive, in addition, upon the delivery of each Definitive Bond a fully paid-up £20 share, by the way of bonus, out of the £300,000 of the ordinary share capital, which is entitled to dividend after payment of the interest and sinking fund on the Bonds and the interest on the Preference Shares.

These Bonds are the first mortgage capital of the Uruguay Central and Hygueritas Railway Company of Montevideo (Limited), and will bear interest at the rate of 7 per cent per annum, from the 1st of January, 1873, payable half-yearly on the 30th of June, and the 31st of December.

Trustees for the Bondholders:—George W. Drabble, Esq., Chairman of the London and River Plate Bank; Director of the Buenos Ayres Great Southern Railway Company; Lord Henry Gordon Lennox, M.P., Director of the National Bank; Loftus Fitzwygram, Esq., No. 89, Eccleston-square, S.W., London—Trustees for the Bondholders and Preference Shareholders of the Central Uruguay Railway Company.

Price of Issue—£85 per Bond of £100.

The London and River Plate Bank (Limited) are authorized to receive subscriptions for the above, payable as follows:—

£5 on application	
10 on allotment	
15 on the 15th February, 1873	
20 on the 15th April, 1873	
15 on the 30th June, 1873 (less half-year's Coupon, £3 10s., deducting Income-tax.)	
20 on the 15th August, 1873	
£85	

Subscribers may pay up in full on any day when an Instament falls due, under discount of 5 per cent. per annum on the amounts so paid.

At the price of issue, after reckoning discount for prepayment, the cost is reduced to about 83¾ per cent. net, which will give the Subscribers a return of upward of £8 5s. per cent. per annum, exclusive of the value of the Sinking Fund.

Scrip Certificate to bearer will be issued on allotment, to be hereafter exchanged for Definitive Bonds and the Bonus Shares, free of stamp duty.

The sum to meet the first Two Years' Interest will be placed in the hands of the Trustees for the Bondholders before the issue of the Definitive Bonds.

The Bonds will carry Coupons, payable half-yearly at the London and River Plate Bank, Limited, 40, Moorgate Street, E.C., London, on the 30th of June and the 31st of December in each year, and will be redeemed by annual drawings, at par. (£100). in 40 years, though the operation of the sinking fund. The drawings will take place yearly, on the 1st of November, in London, in the presence of the trustees for the bondholders, and commence on the 1st of November, 1875, and the bonds so drawn will be paid off on the 31st of December following.

The Government Guarantee of £700 per mile amount annually to	£102,200
The interest and sinking fund on the bonds amount to	90,000
Leaving a margin, per annum, of	£12,200

The bonds, therefore, are more than fully covered by the amount of the Government guarantee, and, in addition, they have the security; of the traffic of the railway.

A first mortgage deed has been executed to the Trustees, charging the concessions relating to the 146 miles of railway with the guarantee of the Government of Uruguay of £102,200 a year thereon, as a special security for the due payment of the interest and sinking fund on the bonds, the proceeds of which the Trustees will apply to the construction and equipment of the railway. The concession is in perpetuity, the Government guarantee of the net earnings of the line to the amount of seven per cent. on £10,000 per mile being for 40 years, and attaching as each separate section of not less than 20 miles is opened for traffic. Each such section is thus complete in itself, and the position of the bondholder remains the same, whether a part or the whole of the bonds are Issued.

The capital of the Company consists of £1,200,000 in bonds, now offered for subscription, and £600,000 in shares, £300,000 of which are 7 per cent. preference shares, and £300,000 ordinary shares. Out of the latter the bonus shares will be taken.

A contract had been concluded with Messrs. Waring, Brothers, for the complete construction and equipment of the railway, in sections, within two years, to the satisfaction of the Government, and in conformity with the terms of the concession, for the proceeds of the mortgage capital now offered for subscription (or pro rata in case part only shall be issued, the £300,000 of preference shares, and the remainder (£60,000) of the ordinary shares which will be paid and handed to them by the trustees against the engineer's certificates as the works progress.

The Central Uruguay Railway, starting from the Capital and shi pping port of Montevideo, is now opened to the town of Santa Lu cia, where the present line will form a junction with it and run to Hygueritas, where it will collect the traffic of the vast and fertile provinces watered by the Uruguay and its tributaries, for conveyance by means of the Central Uruguay Railway to Montevideo, the capital of the Republic of Uruguay and the best port of the river Plate.

The traffic of the line to Santa Lucia is most satisfactory and fully justifies the opinion of practical men acquainted with the country, that this natural extension of the system following the course of the main road by which the traffic is at present conveyed, will, when fully developed, earn considerably more tqan the 7 per cent. minimum, dividend on £10,000 per mile guarantee by the State.

Notwithstanding the fact that the line to Santa Lucia as ye has been worked almost entirely for passengers, the receipts already amount to upwards of £25 per mile per week, and a very considerable addition may be expected as soon as the goods traffic commences. A net earning of less than £15 per mile per week on this line is sufficient to pay the interest and sinking fund on the bonds now offered for subscription, and the fixed dividend of seven per cent. on the Preference Shares. The Ordinary Shares are entitled to all excess of net revenue beyond that sum, subject to the application of 50 per cent. thereof to the repayment of advances by the Government, if any, under their guarantee.

The success of the railways in the River Plate States has been of the most marked description. The shares of the Buenos Ayres Great Southern Railway, on the right bank of the river, command a premium of over 33 per cent. The net earnings of the Northern Railway of Buenos Ayres for the year 1871 amounted to 13 per cent. on the entire capital of the Company —£17,000 per mile. From the rapidly increasing prosperity of the country, there can be no doubt that the railways on the left, or Montevidean bank of the River Plate will become equally, if not more remunerative.

The 7 per cent. Bonds of the Central Uruguay Railway Company, with the same guarantee of the The Government as those now offered for subscription, but without any bonus share, issued in April, 1871, at 75, are now quoted at 99.

The latest advices from Uruguay are of a very satisfactory and encouraging character, and have a special interest for the investors in the securities of that country. The progress of the country is steady and continuous. Within the space of ten years the revenues have increased more than threefold; the receipts in 1864 were £353, 800 only, while in 1871 the Customs' receipts amounted to £1,062, 463.

The consolidated Six per Cent. Loan of Uruguay, issued in London in the autumn of 1871, at the price of 72, is now quoted at 84.

The only deed executed by or on behalf of the Company is an indenture, dated the 9th of January, 1873, between William Waring, Henry Waring, and Charles Waring, of the first part the Company of the second part, and George W. Drabble, Lord Henry Gordon Lennox, M.P., and Loftus Fitzwygram, Esq, of the third part.

Certified copies of the concession, and certined English translations of the same, and the above deed, as also copies of the Memorandum and Articles of Association of the Company, can be seen at the offices of the solicitors, Messrs. Cope, Rose, and Pearson, 26, Great George-street, Westminster.

Applications must be made in the annexed form, accompanied by a payment of five per cent. on the amount applied for, and be forwarded to the bankers, Messrs. Glyn, Mills, Currie, & Co., Lombard-street, E.C., London: or to The London and River Plate Bank (Limited), No. 40, Moorgate-street, E.C., London;